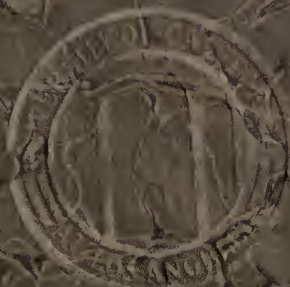
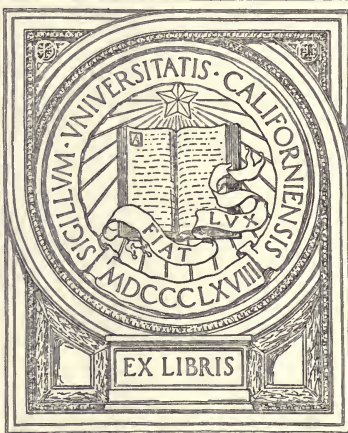


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WAGSTAFF — FEDERALISM IN NORTH CAROLINA



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# The James Sprunt Historical Publications

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## The North Carolina Historical Society

J. G. DE ROULHAC HAMILTON } *Editors*  
HENRY MCGILBERT WAGSTAFF }

VOL. 9

No. 2



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## FEDERALISM IN NORTH CAROLINA

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### I. BEFORE THE ADOPTION OF THE CONSTITUTION

When the delegates of the patriot party of North Carolina met at Halifax in 1776 to form a constitution for the new-born state, two clearly defined factions appeared. A perfect unity of sentiment existed between these factions in all things that appertained to a vigorous prosecution of the war against England; while wide differences of view obtained as to the character to be given to the constitutional document about to be formed. One faction inclined toward a government of democratic type with every department faithfully reflecting the popular will. The other wished the constitution to provide a government less directly subject to popular influence. The former forecasted a new and mighty force in the world's history: American Democracy. The latter exemplified the force of conservatism even in transplanted Englishmen, colonials who retained a profound faith in and regard for the English constitution as it then existed.<sup>1</sup> The American idea, however, predominated in the Halifax convention and the mild type of democracy which it then embodied characterized the constitution which was evolved.

The weaker faction acquiesced gracefully in the result, the war soon absorbing the energies of all. But with the coming of peace and assured independence from the mother country the old line of cleavage between radicals and conservatives reappeared as new issues arose and new conditions were to be met. The radical faction was in control of the state government and responsible for its course when the war ended, while the conservatives had already

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<sup>1</sup> Many of the leading lawyers, and other educated men in North Carolina, even after the Revolution, kept in correspondence with their kinsmen in England and retained a lively interest in English public affairs. See McRae's *Life and Correspondence of James Iredell*.

assumed the role of critic and were rapidly developing a strong party consciousness. The dominant party had not yet rid itself of a trust in the efficacy of paper money issues as a panacea for state poverty.<sup>2</sup> Likewise it was responsible for the failure to repeal the laws under which sweeping confiscations of Tory property had been made during the war. The total of this property was large and its value had materially assisted the state's resources in sustaining the burden of the war. To make restitution in accordance with the terms<sup>3</sup> of peace between England and the Congress of the Confederation was a thing impossible to the impoverished state government. The radical majority refused to consider it as in any degree a moral obligation and hence the treaty was not declared a part of state law until 1787, the status of confiscated property at the same time remaining unaffected.<sup>4</sup> A third characteristic of the radicals as a ruling party was extreme disinterest in the common government, the Confederacy, together with an intense consciousness of the state's individual sovereignty. The somewhat blatant democracy, characterized at the end of the war by the three above named tendencies, embraced in its membership the soldiers of the Revolution, their officers, the bulk of state officials, and the mass of what Archibald Maclaine, a conservative, was fond of calling "the common people." On the other hand the conservatives at this date made up so small a minority that they may best be described as a coterie of educated men, mainly lawyers, well fitted for leadership and likely to acquire influence and power as soon as the passions of the recent conflict began to pass away. They held sane opinions as to the evils of paper money; advocated a lenient policy toward the defeated Loyalists; and considered the fortunes and welfare of North Carolina as indissolubly linked with that of her sister states. Nevertheless

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2 Two issues of Bills of Credit were made after hostilities had ceased, one in 1783 of £100,000 (24 State Records, 478), and another in 1785 for the same amount (24 S. R. 722).

3 The treaty had provided that Congress recommend to the states the policy of restitution. This Congress did, though the states, generally, paid no heed, thus repudiating it as a moral obligation.

4 North Carolina State Records, XX., 321-325.

there was notably lacking throughout the state any spirit of unrest or discontent with present conditions that promised to afford the conservatives at any early date an opportunity for leadership.

A train of influences, however, were already at work that were soon to stir the rather stagnant political waters of North Carolina into violent commotion. Virginia and Maryland initiated a movement in 1786 that led to the call of the constitutional convention at Philadelphia in the following year.

The plan for strengthening the Union by amending the Articles of Confederation found ready acceptance among the conservatives of North Carolina. It would, if successful, bring about national and international respectability, a result that independence alone did not necessarily assure. Moreover it would very probably correct various internal evils from which the country at large, or the states individually, suffered. Lastly, to the conservatives the movement seemed to promise an opportunity for public service and, consequently, public honors to those who advanced it. Interested alike in state and Confederation affairs they threw themselves with intelligent skill into the work of creating sentiment for amendment of the Articles.

Delegates<sup>5</sup> had been appointed to represent the state in the Annapolis Convention, and the legislature now promptly named a commission of five to the Philadelphia Convention. Neither of these actions proceeded from any popular demand, but apparently out of deference alone to the invitation. There was no lively interest manifested, except among the handful of conservatives, as to what might be the outcome. The preamble of the act<sup>6</sup> appointing delegates to Philadelphia embodied the sentiments of the conservatives in the legislature and seems to have been a product of

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5 Five in number. None attended. Only one, Hugh Williamson, made any effort to do so.

6 Public Acts of North Carolina, 1786, 42.

7 The term "conservative", properly characterizes this party in state affairs only. So likewise only in the same limited sense does "radical" accurately apply to the ruling democracy under Jones' leadership. From the viewpoint of their respective attitudes upon the question of altering the state's relation to the Confederation the terms would be more descriptive if interchanged.

their exertions. Nevertheless three of the commission as elected were radicals, among them being Willie Jones, the unrivalled chief of his party. } Jones was a state individualist of the extreme type who, long in control of the dominant party, had given it his own stamp and taught it to regard North Carolina as its chief and practically only concern. Though he did not oppose sending delegates to Philadelphia political consistency bade him refuse the appointment. Richard Caswell, the governor, and somewhat less lacking in sympathy for the movement than Jones, likewise declined. Being empowered by law to fill the vacancies, the governor considerably named two friends of the movement. Hence the delegation as finally made up consisted of one radical, Alexander Martin, and four conservatives, William R. Davie, Richard Dobbs Spaight, Hugh Williamson and William Blount.

But even the most enlightened and hopeful of the conservatives<sup>7</sup> in North Carolina had no premonition that the American Confederation was on the eve of so marvelous a political transformation, a transformation the more wonderful in that it was not generally demanded by the thirteen independent sovereignties affected. The Philadelphia Convention undertook and effected a radical remodeling of the general government. The constitution evolved and laid before the states for ratification was without a parallel in history. North Carolina in common with the other states suddenly realized that she was confronted by a momentous question, the acceptance or rejection of the new frame of government.

The North Carolina conservatives became at once an active working corps in the interest of the new constitution, while the radicals looked on interested but questioning. Even before the Convention at Philadelphia had finished its labors the most far-sighted of the former began to plan the election of a conservative state governor as the initial step toward ratification.<sup>8</sup> They now began to call themselves federal men, and soon thereafter, Federalists. By assiduous correspondence and personal exertions practical organization was effected, the old conservatives, or "outs",

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<sup>8</sup> McRee, Griffith J., *Life and Correspondence of James Iredell*, II., 167. Hugh Williamson to Iredell, July 22, 1787.

to a man rallying with renewed hope to the new and fortunate issue.

Samuel Johnston was perhaps the best known of all the North Carolina federalists. As president of the revolutionary Provincial Council he was in effect the executive head of government between the abdication in April, 1775, of Josiah Martin, the last of the royal governors, and the accession of Richard Caswell under the constitution in December, 1776. He served the revolutionary state well in this civil capacity and would undoubtedly have become the first governor under the constitution had not Richard Caswell's military achievements suddenly brought the latter into prominence.<sup>9</sup> Though trusted by the whole state for his probity and patriotism Johnston was well known to be far from democratic in political theory even though the tide of democracy set in strong with the inception of the Revolution and was still at high flood in 1787. This, together with his sharp criticism and contempt of the policies of the ruling radical majority explains his exclusion from political employment between 1776 and 1788. Equally conversant with state and Confederation affairs and possessing a clear insight into international politics the headship of the Federalist party in North Carolina fell naturally to Johnston. Or, rather, among an able group of well informed equals of like sympathies a position of primacy was accorded him by common consent. Other members of this group already possessing statewide prominence, a number of whom were soon to become more widely known, were James Iredell of Edenton, William Richardson Davie of Halifax, Archibald Maclaine of Wilmington, Will Hooper of Hillsboro, William Blount of Craven, Richard Dobbs Spaight of Craven, John Steele of Rowan, and Hugh Williamson of Edenton. All these except the two last named were, like Johnston, members of the state bar.

North Carolina held her annual election for members of the General Assembly in August, 1787, while the Philadelphia Convention was still in session. It was already known, however, that

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<sup>9</sup> Caswell was in command of the state forces at the battle of Moore's Creek, February, 1776, in which a severe defeat was inflicted upon the Scotch Highlanders in the Cape Fear country who rose in favor of King George.



a plan of government had been agreed upon and that in relation to it the forthcoming Assembly would be called upon to act.<sup>10</sup> Therefore the federal leaders determined to wage an active campaign for membership in and possible control of that body in order to insure its compliance with the expected recommendations of the Convention. Thus the Constitution became an issue in North Carolina before men knew what it was like. Intense interest was awakened. The fighting became fast and furious, much bitterness being engendered in many localities.<sup>11</sup> The federal leaders, most of whom were candidates, took as their common theme the weaknesses of the old Confederation and its corollary, the need of a firmer principle of union. The campaign was of considerable educative value and accentuated interest in larger affairs than the average North Carolinian was wont to concern himself after independence had been achieved. Nevertheless a fair analysis of the issues involved in this campaign shows that the federal men, as "outs," forced the fighting on the new ground as a means to supremacy in the state; while the radicals were struggling not to condemn the Constitution in advance but to maintain their control. Therefore, despite the claim of federal men, a radical victory did not necessarily imply that the new frame of government, when submitted, would not be accorded due consideration.

Though the federalists had made a notable effort and attracted numerous recruits to their ranks, they failed to wrest control of the legislature from the radicals, the latter being able to show a majority in each house and to choose both speakers.<sup>12</sup> Archibald Maclaine had to solace himself with the hope that the Assembly contained *some* men of understanding who would endeavor to do what was necessary. "Happily," he continues, "our Assembly, except where particular interests interfere, have generally appeared well disposed to coincide with the proposals of Congress."<sup>13</sup> This qualified confidence in the radicals by the straitest of the old conservatives was not misplaced. Partisanship for the nonce was

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10 McRee II., 168, Spaight to Iredell, Aug. 12, 1787.

11 Ibid. II., 178, Maclaine to Iredell, Aug. 29, 1787.

12 Senate and House Journals, N. C. State Records, XX., 121, 303.

13 McRee II., 178, Maclaine to Iredell.

held in abeyance, the two houses on joint ballot choosing Samuel Johnston governor despite his opposition to the bulk of the principles for which the radical majority stood. This was the result of a general recognition that the honor was due Johnston for the eminent services he had rendered the state. Moreover, in its anticipation, he had been tactful enough to refrain from participation in the late partisan conflict. When a minority member introduced a measure to provide for a state convention to consider the new federal Constitution the majority again proved liberal, only two radicals of any prominence opposing it.<sup>14</sup> That the people might have first-hand information about the proposed plan of government the Assembly ordered copies of the Constitution printed and placed at the disposal of members for distribution among their constituents. The Convention was to meet at Hillsboro in July, 1788, and to consist of five freeholding delegates from each county and one from each borough town chosen under the same regulations as were members of the lower house of Assembly.

The federalist leaders now began an active campaign to arouse popular interest in the new scheme of government. The first popular endorsement<sup>15</sup> of the Constitution in North Carolina resulted from a meeting held at Edenton, November 8, 1787. The grand jury at the same place likewise presented to the court a vigorous address upon the subject Nov. 12. This document was printed as campaign literature and widely circulated. The reasons it assigned for the need of the new constitution were: the distracted state of the Union; public debts unpaid; treaty of peace unfulfilled; commerce on the verge of ruin; private industry at a standstill; quotas unpaid and impossible to pay; Congress possessing but a shadow of authority, etc. These ideas, with numerous appropriate additions, were pressed upon the attention of the public by all the campaign methods then in vogue. They were

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14 Journal of the Senate, N. C. State Records, XX., 369, 372. The opposing members were Thomas Person and James Coor.

15 This meeting was due to the influence and exertions of James Iredell, who resided at that place. It was before the Assembly had called the convention, and soon after the Constitution was promulgated. See McRee II., 180.

emphasized by resolutions in meetings of the friends of the constitution; by presentments from favorable grand juries; by the group of federalist lawyers upon their court circuits; and by a newly developed pamphlet literature.<sup>16</sup> Early in January, 1788, James Iredell under the pen name "Marcus," published his *Answers to Mr. Mason's Objections to the New Constitution*,<sup>17</sup> a production that easily takes rank with the ablest of the "Federalist Papers" of Madison, Jay, and Hamilton, only a few numbers of which had as yet appeared. Later (May) Davie and Iredell collaborated in the production of a second pamphlet in defense of the Constitution and incurred considerable expense in circulating it.

The election of convention delegates resulted in the choice of the ablest leaders of both parties, this being made possible by the fact that any freeholder might be chosen by any county or borough town whether he was a resident of the same or of some other. Too, there was an appreciation of ability very generally prevalent in North Carolina at this date that made it possible, and not infrequent, for a constituency to confer public honors out of respect to individual character and virtue even though the recipient's political views may not have accorded with those of the electors so honoring him. What with her borough representation; her practice of free choice of any citizen of the state by any local constituency; and her trust in men of proven merit upon occasion, regardless of their views, North Carolina was, in her political practices, as English as Kent or Middlesex.

When the Hillsboro Convention met, July 21, 1788, it was already known that the number of federalist delegates would make up only a respectable minority.<sup>18</sup> Willie Jones' masterly leader-

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16 Newspapers in North Carolina at this early date were few and weak, the State Gazette of Newbern being the most important. There was as yet no great reading public. Nor had political canvassing and the stump orator of a later day appeared.

17 Mr. Mason of Virginia. Iredell's paper first appeared in fragmentary form in the State Gazette and later in pamphlet. See reprint in McRee II., 186-215.

18 McRee II., 222. Hooper to Iredell, April 15, 1788.

ship had kept the front of the old radical party quite unbroken, a result due in large part to one man leadership,<sup>19</sup> supported by able lieutenants, in an organization already in definite control of the state. Nevertheless when the delegates met in their first session the federalists were still hopeful of a favorable issue. They relied upon the weight of the influence upon the convention of the ten states that had already ratified. Among the ten was Virginia, whose influence was especially potent in the Roanoke and Albemarle regions of North Carolina, regions which at that time were the most thickly populated, the wealthiest, and most influential portion of the state. On June 11, 1788, Hugh Williamson, delegate in the now moribund Congress, wrote<sup>20</sup> from New York: "All expectation is turned toward Virginia. We take it for granted, I do at least, that North Carolina will follow Virginia in adopting or rejecting." On July 9, Virginia having ratified meanwhile, Davie writes from Halifax:<sup>21</sup> "The decision of Virginia has altered the tone of the Antis here very much. Mr. Jones says his object will now be to get the constitution rejected in order to give weight to the proposed amendments, and talks in high commendation of these made by Virginia."

Jones refused to relinquish this purpose when the convention had organized, and held his followers in orderly array behind him. Governor Johnston, out of deference to his office and public service, was chosen by unanimous vote to preside. Iredell, Davie, Spaight, Maclaine, and Steele were present as delegates and prepared to champion ratification. A session of eleven days followed in which the Constitution was debated in its various aspects. The debates clearly brought out the fact that the federalist leaders held the new Constitution to be in nature a compact

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19 Jones was an example of the early development of the party boss, though entirely without the venality of the modern type of this species in American politics.

20 To Iredell. McRee II., 226.

21 McRee, II., 230. Halifax was in the Southside Roanoke region and the home of both Willie Jones and Davie. The latter married Sarah, daughter of General Allen Jones, a brother of Willie Jones. Allen Jones, however, like Davie was a conservative in politics and always opposed his brother politically.

between the states, and the federal government, created by it, their agent. Nor does this theory seem to have been assumed by the federalists merely to lull the suspicions of the majority. Davie and Spaight had been members of the Philadelphia Convention, and presumably, knew the spirit in which the Constitution was constructed. Both upon the floor of the Hillsboro Convention interpreted the document as providing more efficient union yet in no way effecting the sovereign character of the states.<sup>22</sup> No appreciable change of sentiment appeared as a result of the debate. Non-adoption was pre-determined by the majority. Jones embodied this decision in a resolution<sup>23</sup> which likewise asserted the necessity of a bill of rights and suggested the call of a second convention at a later date. To the resolution was appended a declaration of rights similar to that in the state constitution together with a list of twenty-six amendments very similar to those suggested by Virginia. The resolution and appendages were carried by a vote of one hundred and eighty-four to eighty-four. A motion by a federalist to substitute a ratifying resolution was defeated by the same vote reversed. On August 4 the body adjourned *sine die*.

The eleventh state, New York, ratified soon after the adjournment at Hillsboro, thus leaving North Carolina with the sole companionship of Rhode Island without the Union. Public opinion in the state now began to veer around rapidly. The federalists, with hope renewed, redoubled their efforts, believing that the pressure of circumstances would now give them control. The annual August election of assemblymen, occurring so soon after the decision of the Convention, gave them scant time to reform their ranks. Nevertheless they made large gains, it remaining uncertain, until the Assembly met in November, as to who should control the body. Hence in the interim the friends of the Constitution everywhere prepared petitions<sup>24</sup> to the Assembly asking the call of a second convention to consider the subject anew. Upon Governor Johnston's suggestion the petitioners preserved a

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22 Elliot's Debates, IV., 148, 155, *et seq.*

23 Elliot's Debates, IV., 242.

24 These petitions are preserved in manuscripts in the North Carolina Archives, office of Secretary of State, Raleigh.



fair degree of uniformity, emphasizing mainly the benefits to be derived from a firm union with the other states and the desirability of being in the Union when the anticipated amendments should be formed.

Almost immediately after the Assembly met, November 3, a secret caucus of the friends of the Constitution was held by which it was learned that they possessed a small majority in both branches.<sup>25</sup> Yet so effective was the radical party organization and so powerful its grip upon the state that both houses organized under its control without regard to the convention issue. In fact on the 15th a definite proof was given the conservatives that the radical party still controlled even on the convention issue, despite the convictions of a majority of the whole body. On that date, evidently by a dexterous use of the party whip, Thomas Person,<sup>26</sup> radical leader in the lower house, secured a vote of fifty-five to forty-seven against a new convention.<sup>27</sup> But this vote was meant to be disciplinary rather than definitive, — a proof that another convention would be by radical grace rather than by conservative compulsion. Many radicals, though still amenable to party discipline and at one with their leaders on state issues, wished to call a new convention and have it ratify the constitution. They were federalists for the single purpose of federation; in all things else they still looked to Jones and Person for guidance. The former in the senate and the latter in the house were masters on every issue, finally, save that of the convention. They even had the two houses reiterate<sup>28</sup> the necessity of another federal convention<sup>29</sup> and appoint five delegates to attend when it should be called. One of these was Person himself, and the others likewise belonged to the

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25 McRee II., 245, Maclaine to Iredell, Nov. 17, 1788.

26 General Thomas Person, of Granville, a Revolutionary patriot and officer. He was Jones' ablest lieutenant and an uncompromising advocate of state individualism.

27 House Journal, N. C. State Records, XXI., 52.

28 Senate Journal, 1788, N. C. State Rec., XX., 527 and 544. This was a concurrent resolution.

29 The Hillsboro Convention of the year before had passed a final resolution demanding a second federal convention to provide the required amendments.

anti-federal section of the radicals. They defeated a bill, brought in by the federal conservatives,<sup>30</sup> to force debtors to pay according to contract, and thus abrogate the old "stay laws" passed in the period of the Revolution and still in force. Likewise they threw out a bill introduced and supported by the federal conservatives for removing the political disabilities<sup>31</sup> of Tory sympathizers in the Revolution. But despite these evidences of party solidarity the flood of petitions for a new state convention and the wavering of a considerable portion of their followers warned Jones and Person that this point would have to be conceded. Hence on the 21st of November the two houses came into agreement upon a resolution<sup>32</sup> to call a convention the date of which was set for November 16, 1789, a year after its call. Thus the federal government would be organized, and operative for the ratifying states, at least six months before North Carolina could render a new decision as to her relations with it. This was the last concession the radical leaders would make and with this the North Carolina federalists had perforce to content themselves. Indeed they were as yet not very sanguine of a favorable result at all, well knowing that Jones and Person were still unconvinced of the wisdom of the whole plan and would use the intervening period to discover and advertise any weaknesses the new government might manifest.

No untoward circumstances, however, occurred within the following twelve months to daunt the hopes of those who had faith in the new Union. Before the middle of 1789 its machinery had been set in motion. Washington at the head of the state inspired universal confidence. Congress began in a conservative spirit to clothe the governmental skeleton with flesh and blood.

The federalists of North Carolina conceded at the outset that the constitution should be amended according to the demand so generally expressed by the states upon their ratification. They

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30 N. C. State Records, XX, 492. See also McRee II, 247, Johnston to Iredell, Nov. 20, 1788.

31 State Rec., XX., 506. These disqualifying laws had been passed in 1784 and 1785. See State Rec., XXIV., 683, 732.

32 Ibid. XXI., 83.



looked to<sup>33</sup> James Madison of Virginia to bring the matter forward early in the first congress. Such action would go far toward overcoming North Carolina's hesitation. The anti-federal section of the radical party, allowing scant time for such a move, were, in May, 1789, remarking with great triumph the fulfilment of their prophecies with respect to Congress never taking up the subject. Madison, however, at the end of the month, brought the expected list of amendments forward and showed every inclination to push their adoption. This promptness, together with the fact that the champion of amendment was a federalist,<sup>34</sup> made the North Carolina federalists jubilant and to the same degree confounded the anti-federalists.<sup>35</sup> In the meantime, and as the date of the state's second convention approached sentiment favorable to the constitution increased and definitely crystallized for final action.

The second North Carolina convention called to consider the federal constitution met at Fayetteville, November 16, 1789, and five days later passed an ordinance of ratification by a majority of one hundred and eighteen votes. General Johnston was president. Other prominent federalists with seats in the body were William R. Davie, John Steele, Hugh Williamson, Charles Johnson, and William Barry Grove. Thomas Person and Judge Samuel Spencer led the anti-federalists, Willie Jones having refused to accept a seat in the body whose action was a foregone conclusion and with which he had no sympathy.

In considering the final causes that led North Carolina to ratify the United States Constitution the conclusion is inevitable that the primary influence was its ratification by eleven of the other states and thereby the automatic dissolution of the old Confederation. Thus North Carolina was left in an isolated position, out of relation with her sisters with whose fortunes hers were naturally

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33 McRee, II., 258, Thomas Lowther to James Iredell, May 9, 1789.

34 Madison afterward arrayed himself in opposition to the federalists as a political party and became one of the leaders of the Republicans. The fact that the North Carolina federalists at this early date looked to him as leader is significant in that many of them went through the same political evolution, thus in part accounting for the failure of a vigorous growth of Federalism in the State.

35 McRee, II., 260, Davie to Iredell, June 4, 1789.

linked. She had not demanded a reorganization of the old government and, despite the energetic campaign carried on by the conservatives, there was aroused no popular appreciation of the new scheme from the date of its promulgation to that of its ratification. Public opinion was not yet ripe for the change and was artificially ripened by the consciousness of the state's isolation. A majority may have at any time admitted that the new constitution had points of superiority over the old; but, likewise, there was always a majority that feared the states were yielding up too much. It was hope, rather than faith, that finally over-balanced fear. Only a minority body of public opinion, finding expression in the old leaders of the conservative faction, had full faith that the new order would be safer than the old. Even this faith was in part artificially stimulated by the belief that the changing order would serve as an opportunity for the "outs" in state politics to seize power. This was the capitalization of a hope that was never realized though, as the following chapter will explain, a larger field for public service now opened before them.

## II. AFTER THE ADOPTION OF THE CONSTITUTION

Consistent with the good policy of having the government launched by its friends and because of his just claims upon the state's regard the North Carolina Assembly unanimously chose Governor Samuel Johnston as its first United States senator. Benjamin Hawkins, likewise a federalist, received the second toga. Two months later, February 10, 1790, James Iredell was named by President Washington as an Associate Justice of the United States Supreme Court. Preliminary to the represented apportionment to be based upon the census of 1790 the state had been assigned five members in the lower house of Congress. The assembly therefore districted the state for representation by combining for each district two of the ten superior court districts.<sup>36</sup> This gave one to the trans-mountain region,<sup>37</sup> thus leaving only four east of the mountains. Elections were held in February in the four eastern districts, resulting in the choice of two federalists<sup>38</sup> — Hugh Williamson and John Steele — and two anti-federalists — Timothy Bloodworth and John B. Ashe,

Johnston and Hawkins, the two senators, reached New York, the seat of Congress, at the beginning of the year. The representatives did not all arrive before the middle of April, when congress was in the hottest of the conflict over Hamilton's financial

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36 Laws of N. C. State Records XXV., 1-3.

37 The trans-mountain district, the defunct State of Franklin, chose John Sevier, its late revolutionary governor. In April, 1790, through her senators, North Carolina executed a deed of cession of this turbulent territory to the United States government and before long it was admitted into the Union as the state of Tennessee. After this cession five representatives were still allowed North Carolina. For the second districting act see laws of N. C., State Records, XXV, 64-65.

38 Since, after the adoption of the constitution, the term "Federalist" was continued in use to designate the party that had brought about union and controlled the new government. Hence "anti-federalist" was for a time used to designate the opposition. Therefore these two names will now displace, respectively, "conservatives" and "radicals" in North Carolina politics until the anti-federalists came to be known as Republicans.

proposals. Senator Johnston supported<sup>39</sup> Madison in the latter's proposal to make a discrimination between the original national debt certificates and those who had purchased them at depreciated value. He likewise opposed the assumption of state debts, writing<sup>40</sup> Iredell: "I am of the opinion that if Congress adopts that measure one of two evils will necessarily ensue, either they will not be able to comply with their engagements, or in order to enable them to comply they will be reduced to the necessity of laying taxes which will be oppressive to the people and injure the government in their opinion. The House, at this time, is very nearly divided on the question. If our members come forward in time I have hopes that the assumption of state debts will not take place." The North Carolina members did arrive a few days afterward and all arrayed themselves, under Madison's leadership, against the measure. Williamson took a conspicuous part in the debate. He alleged that assumption would be palpably unfair to those states which had already discharged a large part of their debts if they were now to be taxed to discharge the debts of those that were delinquent. He claimed that assumption would be an invasion of the reserved rights of the states and contradictory to the powers North Carolina understood herself to have granted when she ratified the constitution.<sup>41</sup> The accession of the North Carolina delegation to the non-assumption party was decisive for the time, the question being deferred. Furthermore no Federalist of note left in private life in North Carolina endorsed the bold program of Hamilton. Davie was tremblingly alive to every influence that might threaten the stability of the new government and thought such measures quite unfitted to its infant resources.<sup>42</sup> Indeed it began to appear that in North Carolina "Federalism" meant *federation* only, an end already achieved. The political principles, centralization of power in the hands of the federal government and loose construction of the constitution,

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39 McRee, II., 281. Johnston to Iredell, Feb. 18, 1790.

40 Ibid. II., 286, April 6, 1790.

41 Gales and Seaton, *History of Cong.*, I, 1490, Speech of Hugh Williamson on Assumption.

42 McRee II., 281. Davie to Iredell, April, 1790.

which the Federalists as a national party were now beginning to develop, would evidently be of slow growth in the state.

As we have just seen, the North Carolina Federalists, both in and out of public life, were inclined to balk at the Federalist national program. However this was but a mild reflex from the violent reaction that began to manifest itself immediately after ratification. The rampant state democracy, still in control, repented itself of the temporary trust it had imposed in those who had advised federation under a strengthened constitution. Those who had opposed ratification to the end now gained complete ascendancy in the party. The fruits of the new Union, they said, already began to ripen bitter. On December 15, the General Assembly passed resolutions condemning the assumption of state debts as an infringement of the sovereignty of the states. A solemn protest was uttered against the policy and the state's senators and representatives in Congress were directed to use their endeavors to prevent as far as possible the evil operation of such acts to the interests and liberty of the country.<sup>43</sup> By this date the assumption measure was law, the two senators from North Carolina lending it their support at the last, while the state's whole delegation in the lower house remained steadfast in the opposition. The Assembly was highly exasperated at the action of the senators and exasperation turned into keen distrust when they failed to attend the legislative session for a few days and make report of their stewardship.<sup>44</sup> Had this been senatorial year they would assuredly have lost their seats. The representatives were in different case. They had not offended by their votes in Congress. Moreover all the delegation, both Federalists and anti-Federalists, were conspicuously<sup>45</sup> present at the November-December session, 1790. Their districts were to be faced the following year and attendance

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43 N. C. State Records, XXI., 1055.

44 McRee II., 302-303. A. Maclaine to Iredell and John Hay to Iredell. The Senators likewise voted for the Excise Bill, thus further offending the State legislature. See McRee II., 326-330, Iredell to John Hay for a very able defense of the senators.

45 Ibid. II., 302. A. Maclaine to Iredell, Nov. 18, 1790.

upon the legislature was the best method for mending political fences. North Carolinians had not yet got away from the idea that their legislature was the exponent of their sovereignty. Nor was the legislature, on this account, backward in demanding from the state's servants a recognition of its primary importance.

The legislature of North Carolina, through these last years of the 18th century, was composed of the ablest men to be found in the counties who were not already officials in other capacities. Familiarity with public affairs was not claimed by the average citizen and hence he inevitably trusted and clothed with power those few in each community who by character, knowledge, or experience were best fitted to direct the fortunes of the state. Professional politicians had not yet made their appearance. Nevertheless there was observable a tendency to recognize an official class, though this class was not a close corporation that played politics for its own advantage. Rather it was a class composed of men who by natural ability in leadership, or by education, stood out as worthy the confidence of the masses. In all popular elections before the Revolution it was the practice in North Carolina to confer public honors upon this official class despite its tendency to become an official aristocracy. But during the process of the Revolution democracy had become enthroned in the state. Hence, afterward, only such of the old official class as had actively identified themselves with the patriot cause and could, at least measurably, readjust themselves to harmony with the new spirit of democracy found opportunity for public service. The majority of these had become conservatives after 1776 and sought to moderate the radical tendencies of the state administration. Later, as has been shown, they became federalists and, like Samuel Johnston, commanded confidence and received a fair share of public honors. By 1790, however, the state had begun to produce a new crop of aspirants for political leadership. These were the true type of that rough, crude, but virile democracy that was to give its distinctive characteristics to the life of the young republic for the next half century. Many of the new political aspirants were not "gentlemen" in the old colonial or English meaning of the term. They would not have been at ease or found



great enjoyment, as did Samuel Johnston and his class,<sup>46</sup> in drinking coffee with Lady Washington. Many of them lacked education and polish but were men of ability and were fast developing those qualities of leadership that such an environment demanded. Most of this new class were, in 1790-91, to be found in the anti-federal party, now soon to be known in the nation as the Republican party under the leadership and inspiration of Thomas Jefferson. It was of such men, together with a respectable minority of old conservatives, that the legislature of North Carolina was made up and whose influence in their respective counties would decide the fortunes of the congressional candidates.

So acceptable to North Carolina had been the votes of all her congressmen in the first congress, Federalists and anti-Federalists alike, and so respectful had been their attitude toward the Assembly, that all were returned in the elections of 1791 save one. This was Timothy Bloodworth, an extreme anti-Federalist, who was defeated in the Wilmington district by William Barry Grove, a most ardent Federalist. This district was now, and for long, dominated by Scotch influence, the Scotch inhabitants of the Cape Fear valley making up the bulk of the population. The Scotch had been Loyalists in the Revolution and had suffered much at the hands of the victorious party. Thus they were naturally inclined toward Federalism, understanding it to mean centralization and stability and depression of surviving Revolutionary hatreds yet fostered by the state democracy. This district, therefore, became the stronghold of Federalism in North Carolina, retaining Grove in the House for the next twelve years, through which period he became more and more antagonistic to Republican prin-

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46 Johnston was a man of courtly manners and moved easily in any social environment. He was careful to discharge social obligations and found enjoyment even in the somewhat stiff society of Washington's "court." Writing to Iredell, his brother-in-law, March 4, 1790, he says: "I have just left the President's, where I had the pleasure of dining with almost every member of the senate. We had some excellent champagne and, after it, I had the honor of drinking coffee with his Lady, a most amiable woman. If I live much longer I believe I shall at last be reconciled to the company of old women for her sake, a circumstance I once thought impossible." McRee II., 284.



ciples as the years went by. At the same election Nathaniel Macon was chosen in the Hillsboro district.<sup>47</sup> Macon, as a Republican of the Jeffersonian school of thought, was now assuming the state leadership that Willie Jones was voluntarily relinquishing. Likewise he was just beginning his thirty-seven years of continuous service in Congress,<sup>48</sup> upon whose actions he was to leave a definite impress.

In party nomenclature, therefore, North Carolina had three Federalists and two anti-Federalists in the Second Congress, though even the nominal Federalists were not at this date suspected of entertaining the principles of loose constitutional construction and national centralization of powers for which the term "Federalism" was soon to stand in the South.

By 1793 party lines were more clearly drawn in the state and the trend of Federalism more clearly understood in its new interpretation. Hence in that year out of the ten representatives<sup>49</sup> chosen only one Federalist secured election, and that the redoubtable William Barry Grove. In the meantime Samuel Johnston, now regarded as deep-dyed in Federalism, and proving totally unpliant to the will of the jealous legislature,<sup>50</sup> lost his seat in the session of 1792-93, giving place to the anti-Federalist Alexander Martin. Thus in 1793 North Carolina retained only two Federalists in elective offices,—W. B. Grove in the House and Benjamin Hawkins in the Senate. The latter had been elected in 1789 for the long term and, therefore, his tenure would not expire before 1795. The Federalist leaders, though practically eliminated from official life

47 The census returns of 1790 had not yet been completed. North Carolina, though having ceded Tennessee in 1790, was still allowed five congressmen as under the old apportionment; thus the choice in 1791 of an additional congressman.

48 Macon was a member of the House of Representatives from 1791 to 1815, being chosen Senator in the latter year and retaining his seat until his voluntary retirement at the age of seventy-one years in 1828.

49 This number of representatives was apportioned to North Carolina as a result of the census of 1790.

50 Johnston's vote on the Excise Bill, a measure extremely unpopular in North Carolina, deeply offended the Assembly. See McRee II., 336. Johnston to Iredell.

in 1793 except in certain federal appointive offices, had not really been guilty of any dereliction of duty to the state's interests. To be sure they had manifested the firmest faith in the principle of union as a cure for the many ills affecting the old Confederacy. Likewise they believed that honesty and wisdom had characterized the course of the new government so far. None of them up to 1793 had shown any disposition to strain the Constitution over a doubtful point unless the senators' support of Hamilton's financial measures might be so construed. Essentially they had been as strict constructionists as their anti-Federal opponents except when the principle of union was endangered. Judge Iredell, in fact, original Federalist, and now United States Supreme Court Justice, set his partymen of the South a strict construction standard, February, 1794, in his dissenting opinion in the *Chisholm vs. Georgia* case.<sup>51</sup>

Involving the right of a citizen to sue a state this case indirectly raised the question as to the status of a state in the American Union; i.e., whether it had ever been sovereign, was sovereign now, or had divested itself of sovereignty when it entered the Union. Iredell evolved the theory of divided sovereignty, holding that the states remained sovereign except to the extent they had curtailed this sovereignty by delegating its exercise in certain cases to the federal government. His opinion was a clear intimation to the country that the constitution of the Union was of the nature of a compact and that safety lay only in strict construction of its terms. Federalist though he was and one of the warmest and most influential advocates of the Constitution, he thus gave the Republicans the cue to their most powerful political principle. The government had been launched, and launched successfully, under the latter's carping criticisms and distrust of motives; but no definite crystallization of principles had occurred among them until Iredell struck the keynote, strict construction, which became the party's shibboleth and remained its central principle for seventy years. The leading Federalists in North Carolina gen-

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51 For report of this case see Dallas, U. S. Supreme Court Reports, II., 419-480.

erally remained silent on the subject of Iredell's attitude in this case, only one — William R. Davie — writing in approval.<sup>52</sup> The country generally, however, soon came to endorse Iredell's main premise that a state should not be sued by a citizen and the eleventh amendment was the ultimate result.

Jay's treaty with Britain, made in 1794, gives a second test within this year by which to gauge the strength of Federalism in North Carolina. This treaty was a disappointment to the whole country but was defended in strong Federalist centers, the administration likewise being strong enough to effect its ratification. In North Carolina, however, no single influential voice was raised in its defense. W. B. Grove, the state's lone Federalist in the House of Representatives, did dare to vote for the appropriation necessary to carry the treaty terms into effect; but all other Federalists of state prominence, whether in or out of public service, agreed with the opposition, though somewhat more mildly, in its condemnation. Johnston wrote:<sup>53</sup> "It [the treaty] appears to be a hasty performance." After stating certain of its more striking objections he goes on: "I confess they have greatly lessened my opinion of Mr. Jay's ability as a negotiator; at the same time I think it most wicked in those who charge him with perfidy and corruption. Time I hope will do justice to his character and confound those bad men who are endeavoring to blacken it." Later he wrote:<sup>54</sup> "The whole continent seems to be enraged against Mr. Jay and his Treaty. 'Tis a pity that there is seldom so much pains taken to conciliate the minds of the multitude as is taken to inflame them. . . . Nothing seems so much to contribute to the happiness of some people as to see everyone distressed and discontented with the state of public affairs." Davie more explicitly condemned the treaty but at the same time showed an even greater solicitude for the endangered government than did Johnston. He said:<sup>55</sup> "The present crisis appears to me to be the most delicate and important since the organization of the gov-

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52 McRee, II., 382. Davie to Iredell.

53 McRee II., 450. To Iredell.

54 McRee II., 453. To Iredell, Aug. 15. 1795.

55 Ibid. II., 454. To Iredell, Sept. 4, 1795.

ernment. The Anti-Federalists and the personal enemies of the Administration have rallied with astonishing activity. The circumstance of the Treaty has ranged a variety of parties on their side and given an imposing appearance to their numbers. I believe they will now make their last effort to shake the Government.' The words of Johnston and Davie seemed to express the general attitude of the Federalists in North Carolina. They considered the treaty a blunder but strongly deprecated its being made a lever for weakening the government. The Republicans in Congress, under inspiration from Jefferson and the leadership of Madison, sought to set it aside by refusing the appropriation necessary to carry it into effect. The Federalists, however, won by a narrow margin.

This Republican defeat resulted in bringing Jefferson into the field as candidate for the presidency in 1796 against John Adams. The return<sup>56</sup> of Jefferson to the political arena likewise called forth his old disciple in North Carolina, Willie Jones, from political retirement. In this year the latter again stood for a seat in the Assembly, the announcement of which was equivalent to his election. This recrudescence of Jones boded no good to the Federalist cause in the state, though it had already begun to show active signs of revival when danger seemed to threaten the Union in the sharp controversy over Jay's treaty.

A preliminary skirmish between the reviving Federalist party and its opponent was the choice of a senator in 1795 to succeed Benjamin Hawkins, Federalist, elected in 1789. John Steele became the candidate of the party. Timothy Bloodworth, Republican, opposed him. The fight waxed warm in the legislature. The charge of subserviency to Hamilton while in the House of Representatives and of having "joined the aristocratical party"<sup>57</sup> was fatal to Steele, though not until outside influence had been exerted against him.<sup>58</sup> Bloodworth, the blacksmith, was chosen,

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56 Jefferson was Secretary of State in Washington's cabinet and had retired in Jan., 1794.

57 James Sprunt Historical Monograph, No. 3, p. 18, Col. Joseph McDowell to Gen. John Steele, Jan. 12, 1795.

58 Senator Pierce Butler, of South Carolina, wrote, opposing Steele on the

much to the mortification of Davie and other Federalists who professed much concern for the reputation of the state.<sup>59</sup> The strength shown by the Federalists in this contest over the senatorship aroused their hopes of securing a respectable member of the presidential electors in 1796. In the presidential election of 1788 North Carolina did not participate, not being at that time a member of the Union. In 1792 her votes had been given to Washington in grateful acknowledgement of his services and as a tribute to his character, though at the same time Clinton of New York, Republican, was her choice for vice-president. Although Washington was on the eve of retirement in 1796 and Federalism had so far failed to develop any strength in North Carolina, Samuel Johnston and other Federalists believed<sup>60</sup> it possible to secure at least four of the state's twelve electoral votes for John Adams. Events proved their hopes over-sanguine, Adams receiving only one,<sup>61</sup> eleven going to Jefferson the standard bearer of Republicanism.

Adams, however, won over his rival by a narrow margin, the latter, by the old plan of election, becoming vice-president. Though contributing so small a part thereto the North Carolina Federalists heartily congratulated themselves and the country upon Adams's victory,<sup>62</sup> though none of them as yet voiced the great dread of Jefferson that was so common among Federalists elsewhere. Nor did victorious Republicanism refuse to Washington, upon his retirement in 1797, the meed of reverence that was his due. The Assembly voted him an address couched in warm, affectionate, and respectful terms, the Federalists of the state regarding this as a just rebuke to Nathaniel Macon who had voted<sup>63</sup> in Congress against a similar address from that body.

But with Washington retired to private life and his personal influence removed as a restraining force there was every indica-

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ground of his conduct in the House. See McRee II., 407. Butler to Iredell.

59 Ibid., II., 431. Davie to Iredell.

60 McRee II., 481, Johnston to Iredell.

61 The Scotch District.

62 W. B. Grove to James Hogg. Grove Corr., Sprunt Historical Monographs, No. 3, 116.

63 Annals of Cong., 4th Congress, 2 Sess., 1688.



tion that North Carolina would turn more passionately than ever to strict Republicanism of the Jeffersonian brand. This was due in part to the influence of Virginia,<sup>64</sup> but in larger part to the spirit of state individualism that Willie Jones had stamped so indelibly upon the state during the life of the Confederation. So far every hope of building up Federalist strength had failed. It remained to be seen what would be the result should circumstances arise that threatened violently the principle of union. Was North Carolina Republicanism, or even that of Virginia, of a sort that, in its opposition to Federalism as a set of party principles, it would go to the extreme length of permitting the Federal system of union to fail? The country was now on the eve of a crisis in public affairs that bade fair to render a fairly definite answer to this question.

This crisis was precipitated by the course of external politics. In the spring of 1798 the long series of aggravations America had suffered<sup>65</sup> at the hands of revolutionary France culminated in the X.Y.Z. affair. In this it was clearly demonstrated that the French Directory had dealt most perfidiously with America's envoys and offered an insult to her sovereignty. President Adams took proper offense and prepared to assert the nation's dignity. The war-spirit blazed fiercely for a time. Federalists and Repub-

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64 Virginia's influence upon public affairs in North Carolina was, at this time, and before, a subject of frequent reference by public men of both states. See John Marshall to Iredell, *McFee II.*, 482.

65 The excesses of the French Revolution caused the outbreak of a war between England and France in 1793 which continued without a lull until 1802. By neither combatant were the rights of weaker nations, whether neutrals, or participants, respected. Public sentiment in America became divided on party lines in America as between England and France. The Federalists had no sympathy with the violent French and leaned toward England. The Republican party was intensely pro-French in sympathy, hoping to see a stable self-governing democracy evolved by the Revolution. With the coming of Genet in 1793, and onward, France, through her ministers reflected upon Washington's government with ill-concealed contempt and sought to establish the Republican party in power. The prolongation of the supremacy of the Federalist party was due in great part to the unhealthy attitude assumed by the Republicans toward France.

licans alike — except the intensest partisans of the latter — upheld the President's hands.

In the summer of 1798, while the war fever was at its height, North Carolina chose a state legislature and her ten representatives to Congress. The Federalists won a definite majority in the Senate and likewise a majority — though a small and waning one — in the house. At the same time they carried six congressional districts. In September Hon. Charles Lee, member of Congress from Virginia, was able to congratulate the North Carolina Federalists in these terms:<sup>66</sup> "The change in North Carolina is most pleasing, and with so good an example before Virginia I trust this state will amend her representation also. General Marshall is a candidate in Richmond District, — Mr. Bushrod Washington in Nicholas, etc." The six members elected as Federalists in North Carolina were: W. B. Grove, Joseph Dickson, William H. Hill, Archibald Henderson,<sup>67</sup> Richard Dobbs Spaight, and David Stone. As members of the 6th Congress the first four named uniformly cast their votes with the Federalist party. Spaight and Stone, however, influenced by the Republican agitation for repeal of certain obnoxious legislation<sup>68</sup> of the 5th Congress, soon left the Federalist ranks and joined the opposition. Thus the party's congressional gains were not in reality as great as they seemed upon election day.

The North Carolina Assembly met in November, 1798, while active preparations for war with France were still going forward. Samuel Johnston was again to be found in the state senate, this

<sup>66</sup> McRee, II., 536, Lee to Iredell.

<sup>67</sup> Henderson was chosen from the Salisbury, or "Western" District. He possessed strong Federalist principles, but his victory at this date seems to have been due less to Federalism than to the beginning of a reversion of the whole western part of the state to its old principle of antagonism to the "East". For a sketch of the political differences between "East" and "West" in North Carolina see the author's *State Rights and Political Parties*. Chap. III., pp. 60-80.

<sup>68</sup> The Alien and Sedition Acts. The Republicans in Congress continuously agitated for a repeal of the Sedition Act throughout the 6th Congress. Spaight and Stone both became Republicans during this Congress and remained with that party thereafter. Stone soon becoming one of its foremost leaders. See *Annals of Congress*, 6th Cong., 976, 1038, 1030.



time in high confidence that his party was at last dominant. William R. Davie, recently appointed Brigadier-General in the United States army, was a member of the lower house. These two were expected to conserve and direct the Federalist majority. Though devoting much of his time to preparation of the state militia for war Davie did not at this juncture neglect his party's fortunes. He was brought forward by the Federalists as candidate for governor and on the 4th of December was chosen by a joint session of the two houses<sup>69</sup> over his Republican opponent, Benjamin Williams. Up to this date Federalist revival of strength was clearly due to the momentum gathered in the general rally of the country to Adams' support in the crisis with France. Johnston wrote<sup>70</sup> on Nov. 28: "I have spoken to some members upon the subject of addressing the President and find it pretty generally approved; but I have waited for Davie before introducing it, that I might avail myself of his influence in the House of Commons, in hopes of getting a unanimous vote. All the members with whom I have conversed are wonderfully federal. I say wonderful because I never conceived it possible there could be so universal a conversion in so short a space of time." Unknown to Johnston, however, the wave of new Federalist vigor had all but reached its high-tide and soon was to begin recession.

The two Federalist measures, the Alien and Sedition Acts, were passed by Congress in June and July of the preceding summer. The alarm of war had excluded them from any special consideration in North Carolina until near the end of the year. The Republican counter-stroke, planned in the brain of Jefferson, was now delivered in the famous Virginia and Kentucky Resolutions.

The Federalist tone of the North Carolina legislature at the beginning of the session was noted in a preceding paragraph, together with its choice of Davie as governor on December 4. On

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69 In North Carolina the governor was chosen annually by the General Assembly up to the reform of the Constitution in 1835. After that date he was chosen by the people biennially.

70 McRee, II., 537. To Iredell.

December 21, the Kentucky Resolutions<sup>71</sup> were laid before the body. The situation was very accurately portrayed in the words of Johnston on the 23rd:<sup>72</sup> "An address to the President has been for some days before the House of Commons without being acted on, and I fear will come to nothing, though I believe it would pass the Senate without opposition. Two or three days ago the Governor<sup>73</sup> laid before the House of Commons a string of resolves from Kentucky, prefaced with a most indecent and violent phillipic on the measures of the General Government' The Commons sent them up to the Senate who, after, *with great impatience*, hearing them read, ordered them to lie on the table; and I believe, in the temper they were then in, might easily have been prevailed on to have them thrown into the fire, which was proposed in whispers by several near me." Again on the 24th: "After I wrote you - - - - - a resolve came up to the Senate proposing to give it in charge to our Senators and Representatives in Congress to use their influence to procure the repeal of the Alien and Sedition Acts, which was rejected by the yeas and nays—31 to 8." It must be borne in mind, however, that Johnston spoke as a member of the Senate—a body chosen by freehold suffrage in North Carolina and hence less reflective of public sentiment than the popular branch chosen by free manhood suffrage. In fact the Republicans in the lower house were now able to bind to themselves a sufficient number of wavering Federalists to give them control. Hence on the 24th of December the Commons, disregarding the Senate, passed strong resolutions<sup>74</sup> against the Alien and Sedition Acts and ordered them forwarded to the State's Senators and Representatives in Congress with implied instructions to vote for their repeal.

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71 The Kentucky Resolutions preceded those of Virginia in point of time. Both affirmed the sovereign character of the states; that each state was its own final judge as to the infractions of the Constitution by the federal government; and that whenever the latter assumed undelegated powers its acts were unauthoritative, void, and of no force.

72 McRee, II., 542. To Iredell.

73 Samuel Ashe, a Republican, was then governor and would give place to Davie January 1, 1799.

74 Journal of the N. C. House of Commons, 1798, pp. 75-77.

A further evidence of the rapid decline of Federalist strength in this legislature, due to the Alien and Sedition Acts, was their failure to choose the United States senator to succeed Alexander Martin, whose term was to expire March, 1799. Martin had been chosen as a Republican in 1793 and had given no grounds for party complaint until 1798 when he had voted for the Alien and Sedition Acts. He was now a candidate for re-election, evidently having reasoned that the legislature, under war pressure, would be pro-administration and thus his re-election assured. His plan was almost successful, for the Federalists, though having a first choice<sup>75</sup> of their own, were eventually willing to accept him<sup>76</sup> in lieu of an anti-administration Republican. But when matters had been to a crisis by the Kentucky Resolutions the Republicans in the Commons not only repudiated Martin but determined upon his political death. A sharp struggle ensued from which the Republicans emerged with new strength, having effected the election of Jesse Franklin, lately a member of Congress, and a rock-ribbed Republican of the Nathaniel Macon type.

With Davie inaugurated as governor, January 1, 1799, the Federalists, backed by his prestige, made one more effort to assert control over the renegade members of their party in the lower house. A measure was brought forward to transfer the choice of presidential electors from the people to the legislature. This plan was unquestionably designed in preparation for the approaching presidential election of 1800.<sup>77</sup> If carried into effect it would offset the popular favor of Jefferson and probably enable the Federalists, backed by the administration's patronage and influence, to cast the vote of the state for the Federalist candidate, presumably Adams. The party whip was vigorously used and all the in-

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75 Alfred Moore was the Federalist candidate. Failing of senatorial honors he was chosen for the State bench and in 1799, upon the death of Judge Iredell, was appointed to fill the vacancy in the United States Supreme Court.

76 McRee, II., 540. Johnston to Iredell.

77 Cf. Dodd, *Life of Nathaniel Macon*, 161. North Carolina was one of the three States in the Union at this date which chose their presidential electors by the district system.

fluence of Samuel Johnston and Governor Davie was exerted without avail. The lower house effectually balked the plan and would have none of it.

Though somewhat discouraged by now the Federalists still adroitly used the threatening aspect of the French war-cloud as a plea for party loyalty. But as the first half of the year waned and Adams still vacillated with respect to his French policy they began to lay the more stress upon the dangerous disunion tendencies set in motion by the Virginia and Kentucky Resolutions. This argument possessed a certain potency in North Carolina because there the habit was still strong of attaching large importance to Virginia's actions and in that state politics was in a ferment. January 24, 1798, Judge Iredell wrote that the Virginia Assembly was pursuing steps which would lead directly to civil war, that a respectable minority was still struggling in defense of the General Government, and that the Government itself was fully prepared and resolved, if necessary, to oppose force to force.<sup>78</sup> Even Governor Davie himself, to the middle of the summer, believed<sup>79</sup> that it was the fixed purpose of the Virginia Republicans to break away from the Union, with the expectation that Pennsylvania and the Southern States would follow. This concern over the domestic situation unquestionably exerted a strong influence in North Carolina, an influence that did not lose its force until the crisis of the next presidential election was safely passed.<sup>80</sup>

In the meantime the Federalists in North Carolina lost their original leverage—the war scare. Adams had suddenly faced about and determined to send a new commission to France. The Federalist spokesmen in the State all opposed this sudden change in the administration's policy. Johnston said:<sup>81</sup> "It appears to me very extraordinary that the President should at this time appoint ministers to treat with the French Republic, - - - - - at

78 McRee, II., 543.

79 Ibid. II., 577. Davie to Iredell, June 17, 1799.

80 The fact that Adams received four elector votes in North Carolina the next year, when Federalism was already much weakened in the state, seems due to this influence.

81 McRee, II., 550. To Iredell, March 23, 1799.

the same time I cannot assume to censure the President's measures, as it is not probable that the public are in possession of the whole of his information." John Steele, an equally ardent North Carolina Federalist, Washington's appointee as first Comptroller of the Treasury, and still in office under Adams, was less conservative in his criticism. He said:<sup>82</sup> "I confess I do not forbode any good from it [the embassy], and on that account lament that the measure has been adopted. Three solemn embassies, composed of our most distinguished citizens, to be obliged to go to Paris in succession, to beg peace and reconciliation with a government whose enmity is now unanimously considered less dangerous than their friendship, may serve to show our passion for humility and submission; but it is impossible to think that as a Nation our honor can be preserved or our interests forwarded by such condescensions." Even Governor Davie, who was tendered and accepted an appointment upon the commission,<sup>83</sup> likewise had uneasy forbodings relative to the wisdom of the mission. September 18, he wrote to Iredell:<sup>84</sup> "The appointment of Envoy is highly honorable to me and, under any other circumstances, would have been certainly agreeable; but the unknown and ever-varying situation of the Government to which we are addressed, its strange, unparalleled character and unsettled policy, furnish no data upon which we can calculate the issue of our mission, and must cast the reputation of those concerned in it entirely upon chance; and your sensibility will easily anticipate the anxiety I feel under these circumstances."

The adroit use the Republicans made of the Alien and Sedition Acts, the course of President Adams in the crisis with France and, above all, the removal of Davie at such a critical juncture in Federalist affairs in North Carolina, constituted together a death-blow to Federalist hopes in the State. We have seen the effects of the

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82 Ibid, II., 580. To Iredell, Aug. 5, 1799.

83 This second commission of Adams' was composed of Oliver Ellsworth, William Vans Murray, and Davie. The latter was appointed to fill the third place after its declination by Patrick Henry, of Virginia.

84 McRee, II., 584. Thirty-two days after the date of Davie's letter, Judge Iredell died.



first two influences and it takes only a glance at the third to gauge its importance. Davie was at this date by far the most influential Federalist in the State. His work until now had been done in the main as a member of the popular branch of the legislature in which he exerted great personal influence upon men of both parties. As governor this influence was increased rather than decreased. He was in a position to greatly strengthen his party. Had he not been removed from this post by the appointment to France he would undoubtedly have been retained as chief executive for three consecutive terms. This was the practice in North Carolina even though the election was annual. But upon his acceptance of Adams' tender, his followers fell into a panic and the Republicans of the lower house were able, on joint ballot with the senate, to force the election of a Republican successor.<sup>85</sup> There was no able Federalist of state-wide reputation, except Samuel Johnston to take Davie's place and Johnston was not now either temperamentally or by inclination fitted for the arduous task.<sup>86</sup> The strongest of the remainder of the old band of Federalist leaders who had fought so stubbornly for the union of the states were either dead<sup>87</sup>, or had received federal appointments under Washington and Adams,<sup>88</sup> or were soon to receive such appointments at the hands of a Republican president<sup>89</sup> who was astute enough to adopt this plan in order to conciliate and reconcile them to the Republican regime that begun in 1800.

In the presidential election of 1800 the North Carolina Federalists succeeded in naming four Adams electors, a number equal to

85 Benjamin Williams, of Moore County. Williams served three successive terms and upon retirement was followed by a Republican.

86 Johnston was now on the eve of definite retirement from public service, yet he consented in 1800 to accept an appointment to the Superior Court bench which he resigned in 1803.

87 James Iredell and Archibald Maclaine were dead.

88 Iredell, Davie, John Steele, and Alfred Moore were the most notable North Carolinians that received federal appointments under the first two presidents.

89 Davie, John Steele and Benjamin Hawkins all accepted appointments from President Jefferson, though Davie and Steele always remained steadfast Federalists.



that of their representation in Congress. Here, apparently, was evidence that the party was holding its own. But the result did not truthfully indicate the real state of the party's rapidly declining strength. Federalist principles had much less to do with the result than did the fear that in such a period of high party tension it was probably unsafe to risk the country's fortunes in the hands of an untried party. To many the Republican party had seemed to voice a distinct threat to the principle of union in the Virginia and Kentucky Resolutions and the danger did not yet appear to be entirely past.

When it became known in February, 1801, that the election had resulted in a tie between Jefferson and Burr and that the House of Representatives must choose between these two Republican candidates, the Federalists began to intrigue with Burr, hoping to bind that shifty politician to their interests as the price of their support of his candidacy. It is a familiar story how Hamilton, more distrustful of Burr than of Jefferson, defeated the plan of his party with such tragic results to himself. In North Carolina the Federalists, with a great deal of unanimity, refused to sanction the original plan of elevating Burr at the expense of Jefferson, though the latter was scarcely more attractive to them. Davie wrote:<sup>90</sup> "The Federalists own the destruction of the constitution as an event almost certain under the administration of Mr. Jefferson; and as to the administration of Mr. Burr, although it may be energetic, *no man knows* what course it may take. I have been visited by a great number of the most enlightened friends of Government in this part of the country since my return and they all express an insuperable repugnance to the election of Burr, urging his want of character, etc." Despite this general repugnance to Burr in North Carolina the State's four Federalist representatives in Congress, after the first ballot,<sup>91</sup> generally voted<sup>92</sup> for Burr during the

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90 Sprunt Monograph, No. 7, p. 43. Davie to Steele, Feb. 2, 1801. This letter was written from Davie's home, Halifax.

91 Annals of Cong., 6th Cong. 1029. The six Republican members invariably voted for Jefferson from the first to the last ballot. On the first ballot three of the Federalists likewise voted for Jefferson.

92 Ibid, 1032.

thirty-six ballots taken before Jefferson was elected. Being upon the scene of action they proved to be more amenable to the organization whip than to the sentiment of their constituents.

Up to the inauguration of the Republican administration of Jefferson on March 4, 1801, Federalism in North Carolina, though stimulated by federal patronage and buoyed up by the encouragement of three consecutive Federalist administrations, failed to develop power to control more than a respectable minority of the State's voters. Now, with the federal government Republican in both its legislative and executive branches and all artificial stimulus removed, it was less likely that Federalism could maintain itself in vigorous life. Nevertheless the Federalist leaders did not yet altogether despair. Four of the State's representatives in Congress were still Federalist and as many Federalist electors had been chosen in 1800. Some fortuitous circumstance might yet cause the political wind to veer in their direction. Surely the political barometer at the date of Jefferson's accession indicated squalls.

Hence it was with this feeling, and facing such a situation, that Davie in August,<sup>93</sup> 1801, opened up a correspondence with other Federalist leaders<sup>94</sup> for the purpose of formulating some plan or plans for the future of the party in North Carolina. The united efforts of Davie and his like-minded partymen soon materialized in the establishment of the Raleigh *Minerva* as the party organ—a help the Federalists had been without until now—1802. This paper was to be subsidized from a fund made up by voluntary contributions of Federalists together with an assessment laid upon a coterie of Federalist gentlemen who originated the plan.<sup>95</sup> Its end was to be "the noble objects of suppressing falsehood, and disseminating truth, of subverting the wild and visionary projects and opinions of Democracy and advocating in their place sound, substantial, and practical principles of Federalism."<sup>96</sup>

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93 Davie had returned from France in January, 1801.

94 Davie to John Steele, Sprunt Monograph No. 7, p. 46. Davie Letters, Edited by Dr. K. P. Battle.

95 See Letter of Duncan Cameron to John Moore, September, 1802, quoted from Nathaniel Macon MSS. by W. E. Dodd in *Life of Nathaniel Macon*, p. 178.

96 *Ibid*, 179.

In the meantime the Federalists of North Carolina had made up a real political issue with their party opponents and were preparing to stand or fall upon it. This was over the question as to whether the State legislature rightfully exercised the power of instructing senators and representatives in Congress. The occasion was the dissent with which the four Federalist representatives met the Assembly's instructions to vote for the repeal of the federal Judiciary Act that had become a law in the latter part of the session of 1801, just before Adams' term of office expired. By it the federal Judiciary system had been greatly extended and the Federalists had made themselves berths against the day of defeat. Adams had been complaisant enough to help many of his followers into these berths during the last days of his administration. With the incoming of the Republican administration of Jefferson his party had at once begun an agitation for the repeal of the new act and a return to the old system. Thus not only would the new federal offices be abolished and the new Federalist officers deposed, but the greater good would be secured of delimiting federal authority in the interest of State rights as represented by the state judiciaries. The Republican legislature of North Carolina had promptly supported the plan for repeal and, as above noted, instructed the senators and representative<sup>97</sup> accordingly. Archibald Henderson, Federalist representative of the "Western," or Salisbury District, voiced in Congress the refusal of the State's four Federalist representatives to be instructed.<sup>98</sup> This had been the position of North Carolina Federalists since the adoption of the Constitution and, as has been noted earlier in this treatise, had proved disastrous to a Federalist senator (Samuel Johnston) and representatives in 1793. So likewise in the congressional election of 1803, the recalcitrant representatives, Archibald Henderson, W. B. Grove, John Stanly, and William H. Hill all lost their seats, each being displaced by a Republican competitor despite the fact that the whole strength of

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97 The senators, as direct representatives of the State through its legislature, were *instructed*; while the intimation to the Representatives was conveyed in the form of a *recommendation*, but the recommendation was intended to be obligatory.

98 Annals of Congress, 7th Cong., 1st Sess., 530, for Henderson's speech,

their party was arrayed in solid phalanx behind them on the instruction issue. At the same time the influential Davie stood for congressional honors and went down to defeat on the same issue. With this disastrous overturn in 1803 the Federalist party organization was practically crushed and was never again successfully rehabilitated.

Meanwhile a second form of attack had been launched against Federalism in North Carolina which was even more insidious in its influence than either the frontal or flank assaults of the Republicans. This was a plan whereby President Jefferson purposed to use the federal patronage in part to pick off the ablest Federalist leaders and thus to ally them by interest to the new regime. The same plan was pursued by Jefferson in other states and, in some, it had greater direct influence upon Federalism than in North Carolina; but there it effectually prevented the party's ranks from successfully reforming.

Nathaniel Macon, probably the staunchest Republican in Congress, and member of that body since 1791, became Jefferson's dispenser<sup>99</sup> of federal patronage in 1801. Macon at first wished to make the test of Republicanism the standard by which officers were chosen but was soon led by the astute Jefferson not to enter upon a proscriptive policy toward the better known and most influential Federalists. With this plan matured, and an understanding reached between Macon and Jefferson, William R. Davie and Benjamin Hawkins were approached in June 1801, and offered a commission with General James Wilkinson to negotiate with the Southwestern Indian tribes. Hawkins at once accepted and was thereafter lost to the Federalist party. Davie declined but apparently not because of the source from which the appointment came. Extracts from his correspondence<sup>100</sup> at this date throw an interesting light upon the insidious temptations Jefferson laid before the Federalists in North Carolina in furtherance of his plan to eliminate their opposition to his administration. In a letter to

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99 Dodd. *Life of Nathaniel Macon*, 169.

100 Correspondence of Wm. R. Davie, Sprunt Monograph, No. 7. Edited by Dr. K. P. Battle.

John Steele, dated at Halifax on August 3, 1801,<sup>101</sup> he said: "My personal engagements oblige me to be stationary here till the 15th of October, excepting a journey to Edenton and Petersburg, and from the 15th of October to the last of November I had engaged to be in Chatham and South Carolina; so that it was impossible for me to attend any of the treaties for which I was appointed a Commissioner. As my affairs, therefore, would not admit of any arrangement that could enable me to be absent until December my acceptance was at once out of the question. This business being then decided by circumstances over which I had no control left my own judgment without any responsibility. There was, however, great difference of opinion among my friends with regard to my acceptance of the appointment. My federal friends were generally violently opposed to my acceptance, while those who are attached to the principles of the present administration discovered great anxiety that I should accept the appointment and attend some of the treaties at least; it is unnecessary to trouble you with their reasons, you will not be mistaken in their substance, but I entreat you to give me your sincere opinion. You are sensible of the high esteem I have for your judgment, and the manner in which I appreciate your friendship. In cases of this kind it is a matter of mere chance whether a man forms a correct judgment himself and therefore ought to rest implicitly on the judgment of his best informed friends."<sup>102</sup> What Steele's reply was we have no definite means of knowing; but certainly Davie reached the conclusion that there was nothing inconsistent with his Federalist principles in the acceptance of a commission from the Republican President. The very next year he was appointed upon and accepted a commission to treat with the remnant of the Tuscarora tribe left in North Carolina and successfully completed the task. Nevertheless in the instance of Davie, Jefferson's plan never achieved its evident object, for Davie never regarded himself as in any way committed to any support of the Republican party. He remained a harsh critic of the government, vehemently condemned the repeal of the "mid-night" Judiciary Act, and expressed the

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101 The appointment had been made in June.

102 Sprunt Monograph No. 7, p. 46. Davie Correspondence.



view<sup>103</sup> that soon there would be no other than the Lilliputian ties of the public debt to hold the States together. Likewise, as we have seen, in 1803 he was engaged in an endeavor to reform the broken ranks of the Federalist party and stood for Congress only to meet defeat. It was characteristic of the man and the purity of his political methods that in this campaign he took occasion to clearly advertise to his prospective constituents that he never had and never would surrender his principles to opinions of any man or set of men, either in or out of power; and that he wished no man to vote for him who was not willing to leave him free to pursue the good of his country according to his best judgment.<sup>104</sup> He seems to have feared that some Republican voters might be misled as to his principles by the fact that he had accepted certain service under a Republican President. After his defeat in 1803 the Republican administration ceased to woo him. He never received public employment again, but retained a lively interest in public affairs. He retired in 1805 to an estate he owned at Landsford, South Carolina, but kept up a continuous correspondence with his Federalist friends in North Carolina. Never softening toward Jefferson and his administration, he nevertheless had high hopes of President Madison, due likely to the old position in which Madison had stood at the formation of the government. January 4, 1810, he wrote to John Steele<sup>105</sup> while the country was still smarting under the effects of the embargo and non-intercourse policy inherited from Jefferson's term: "I sincerely believe he [President Madison] is a man of great virtue. We all know he has sense and the experience of many years in public life, and *they now* say he has more promptitude and decision than any man who ever filled the presidential chair. May God grant that this

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103 Ibid, 52.

104 Ibid, 55.

105 Steele likewise had been an object of Jefferson's wooing. He had been appointed Comptroller of the United States Treasury by Washington, which office he continued to fill through Adam's term and was undisturbed in his tenure by Jefferson who had Macon to urge him to retain the post, finally himself requesting it. Steele did so until the fall of 1802. In that year, influenced by political propriety, he resigned and retired to private life. See Dodd, *Life of Nathaniel Macon*, 180.



may be true! Our affairs may yet do well.”<sup>106</sup> Nevertheless when Madison’s administration in 1812 drifted into war with England instead of with France, Davie lost all faith in the President and reverted to his old unyielding Federalist position. When the discontent of the New England States with the administration’s policy and its conduct of the war had culminated in their secession movement and the Hartford Convention, Davie wrote:<sup>107</sup> “\* \* \* the movement in the New England States and the monstrous strides towards despotism made by the party in power have so stunned and astounded me that I know not what to say or write. It really appears to me that the present confederacy will not last two years more and that Mr. Madison will finish his career amidst the ruins of his country.” In 1814, however, the Madison administration effected a peace with England in time to save the Republican party from disruption and in such a way as to thoroughly effect the discredit of Federalism in its stronghold, the New England States. Despairingly Davie wrote to his friend Steele: “So infatuated are the people it is astonishing how little popularity they [the Republican party] have lost by their mismanagement and blunders.”<sup>108</sup> In North Carolina Federalism had been dead since 1803 for all practical party purposes except as a cloak for the “West” in its slowly reviving movement against the dominance of the “East” in State politics.<sup>109</sup>

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106 Davie Cor. Sprunt Monograph, No. 7, 65.

107 Ibid, 71, Davie to John Steele, Nov. 29, 1814.

108 Ibid, 75. Feb. 4, 1814.

109 See the Author’s State Rights and Political Parties in North Carolina, 1776-1861, page 61, *et seq.* for further information on the political differences between the “East” and the “West” in N. C.

### III. CONCLUSION

The foregoing slight study of Federalism in North Carolina has led the author to the following conclusions:

1. That the demand for a reorganization of the Confederacy in 1787-88 was not of itself strong enough in North Carolina to cause the State to ratify the Constitution; that such ratification, effected in 1789, was the result of the State's isolated position, the old Confederacy having been automatically dissolved by the adoption of the new Constitution in eleven of the old States.

2. That after the adoption of the Constitution by North Carolina, Federalism, as representing a body of political principles meaning, in essence, centralization of powers in the federal government, was of slow growth in the State and was never really dominant in its affairs.

3. That only when the principle of union was threatened did Federalism receive an accession of strength, the danger never lasting long enough to really ensconce the party in power. Such temporary increase of strength came to North Carolina Federalism during the excitement aroused by the Alien and Sedition Acts and the Virginia and Kentucky Resolutions; likewise during the preparations in 1798 for war with France; and, again, in 1800, when the presidential election of that year seemed for a time to portend a disruption of the Union.

4. That when the Federalist party's control of the federal government was broken by Adams' defeat in 1800, and the perpetuity of the Union began to seem assured, Federalism in North Carolina almost immediately disappeared, soon ceasing to maintain even the semblance of a party organization.

LETTERS OF WILLIAM BARRY GROVE

EDITED BY

Henry McGilbert Wagstaff



## LETTERS OF WILLIAM BARRY GROVE

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• Herewith are presented some letters, hitherto unpublished, of William Barry Grove to James Hogg. Grove, a native of Fayetteville, represented his district in Congress from 1791 to 1803. His friend and correspondent, James Hogg, a merchant, formerly resided in Fayetteville also, doing business in that town and in Wilmington. At the date of this correspondence he lived in Hillsboro. The letters cover the decade 1792-1802. Since they are few in number and scattered irregularly through the period they should be used only in connection with the Grove Letters (also to James Hogg) which have been edited and published by Dr. K. P. Battle in the Sprunt Monograph No. 3, 1902. These cover the same period and are complementary to those herewith presented. It is believed that the two series together make up the complete list of Grove's letters to Hogg while a member of Congress. The whole collection should prove valuable, historically, in that they portray the feelings and actions of a Southern Federalist at a time of high party tension in our national councils; this aside from their value as giving a more or less intimate view of the problems confronting the federal government, its hopes and fears, during the infancy of the Republic.

For an extended sketch of both Grove and Hogg see the James Sprunt Historical Monograph No. 3, 1902.

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*To James Hogg.*

Phila. 20th Apl, 1792.

Dear Sir

The Session is drawing to a close & I hope the time is near at hand when I shall see all my friends in Carolina, nevertheless as Mr. Hunt<sup>x</sup> is going immediately to Hillsboro I cant omit writing

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1 Probably Memucan Hunt, of Granville, member of the first North Carolina Provincial Congress which met at Newbern August 25, 1774 to organize

you a few lines on the subject of Locks—Canals &c; I have agreeably to your desire<sup>2</sup> made particular enquiry respecting the form and materials proposed for Locks to be used in the navigation in this State, and from all I can learn either from a model which I have examined, or the conversation of some persons here who are skilled in that kind of work, our Lock gate &c. is on exactly the same plan & principles, We only differ as to the materials for the Lock, Stone is plenty here and to be used altogether—I refer you to the papers for the Political news; in one of these you will see a communication between Mr. Jefferson and Mr. Hammond<sup>3</sup> respecting the operation and intention of a certain clause of the British Navigation act: I judge some negotiations are going on between The Plenipo. and The Secry. the nature of which are unknown; some private inquires have been made by the Secry. of the Delegation of No. C. which induces this belief in me, I wish they may terminate to the interests and satisfaction of both Countries.

I apprehend that nothing can be done this Session in Western Land Business,<sup>4</sup> or indeed with the Merchants Memor.,<sup>5</sup> both subjects are attended with circumstances perplexing to Congress—You may have heard that the L. House is to be finished, and that

resistance to England; also member of the Provincial Congress that met at Halifax, November 12, 1776, and formed the State Constitution.

2 Hogg was a member of the North Carolina Canal Company organized and chartered for the purpose of making the Cape Fear River navigable to the junction of the Haw and Deep rivers in the county of Chatham. It was a visionary scheme and part of the general plan of canal construction which amounted almost to a rage at this date, 1790-1800. See McMaster's History of the People of the United States, II., 74-75.

3 British Minister to the United States. Jefferson was Secretary of State in Washington's first cabinet.

4 James Hogg, Grove's correspondent, was a member of the Transylvania Land Company which assumed to buy of the Cherokee Indians an immense tract of country making up a part of the present states of Kentucky and Tennessee, hence he was vitally interested in the extinguishment of the Indians' claims by the U. S. Government. A petition from the company to this end rested before Congress in 1792-93. The sale was finally declared illegal by the States of North Carolina and Virginia though at the same time the company was allowed a compensation of 200,000 acres by way of compromise.

5 North Carolina merchants had suffered the loss of a certain cargo, in part slaves, that had drifted ashore upon one of the Bahamas and there con-



the District Fedl. Court is to sit at Wilmington alternately wh. Newbern & Edenton. The Indian business<sup>6</sup> has made it necessary to increase the duties on importation  $2\frac{1}{2}$  p Ct.; I suspect in these kind of matters *two & two* will not always make four: I confess I think commerce is already pretty well burthened. Be so good as remember me to all friends in and about Hillsboro.

I am

Dear Sir

with respect & Esteem

Your very Hum St

W. B. GROVE

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*To James Hogg.*

Phila. Jany. 21st, 1795

Dear Sir

About a fortnight ago the Deeds & papers respecting your Indian purchase came forward, & at same time I recd. yours of the first Decemr. on the subject<sup>1</sup>—the first opportunity was embraced to bring forward the Petition &c they were referred as usual to a Committee viz Mr. Smith S. Carolina, Mr. Blount,<sup>2</sup> Mr Carnes Georgia, & two others who reported they conceived the claim of the Transylvania Company's rested on the same ground & principle that other claims for Lands in our Western Country,

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fiscated by the British authorities. The parties interested in the merchandise petitioned Congress to secure compensation but seem never to have been successful.

6 The Western Indians defeated General St. Clair on the Wabash River in the Northwest Territory, Nov. 3, 1791, causing general alarm in the whole western country. To provide a war fund Congress increased the duties on imports and sent out Mad Anthony Wayne to chastise the Indians.

1 Hogg's interest in the Transylvania Land Company has been explained in a former note. Grove was a warm advocate of the claims of the Company. This letter within itself very clearly outlines the nature of the Company's claims and the nature of its activities up to 1795.

2 Thomas Blount, member of Congress from North Carolina 1793-1799; 1803-1809; 1811-1812. He was a brother of Wm. Blount of Tennessee, senator from that state and expelled by the senate July 8, 1797, for exciting hostile incursions against Spain in the Louisiana Territory.

which had been ceded to the Un. States, & therefore that the Petition &c. of the Compy. should be referred to the Committee of the whole House who had under consideration the Subject of the Petition of Thomas Person<sup>3</sup> & others with certain Resolutions of the North Carolina Legislature—Mr Macon<sup>4</sup> & myself were of a different opinion, & he stated the reasons why the claims of the Company & other holders of Land in the Western Country differed from each other in some *important points*; but they were referred without any Special Reports and are now before the Committee of the whole House with the other claims of our State for Lands in the Territory ceded to the Cherokees; What the fate of the business will be is quite uncertain, tho I assure you, I fear not favourable.

An opinion is very generally entertained here that North Carolina had no good right to sell those Lands untill the Indian rights had been fairly *purchased*, or *extinguished*, and the Members from the State are not in possession of any Document to prove that has been done, since the Treaty held by authority of the State at Long Island of Holstein in May 1777—whereby the Indians seem to have been much favoured by the Boundary lines, & Treated with as a *Free & Independent People*—That Treaty of 1777 & the Hopewell Treaty were less favourable to the Whites, than the late Treaty at Holstein by Govr. Blount, and therefore say many of the Members of Congress the right of the Company's purchase in 1775 was affected by the Treaty of No. Carolina in 1777, and therefore No. C. should settle the affair with the Company, & that the grant from the State to the Coy. in 1783-4 for 200,000 acres of that Land which the State had actually in 1777 guaranteed by Treaty to the Cherokees, could not be a good grant, untill the Indian boundaries was altered by Treaty to include that Land; or untill the State had some better right to it than a Law (of one party only)—

It is true we have no evidence of *consent* on the part of the In-

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3 Thomas<sup>3</sup> Person, of Granville, likewise had a state grant of land in the limits of the present State of Tennessee.

4 Nathaniel Macon, M. C. from North Carolina, was the leader of the Republican party in North Carolina and exceedingly influential in Congress.

dians to renlenguish any part of the Lands secured to them in 1777— and here we must *insist on the right & Custom of Conquest* after 77, in consequence of a Violation on the part of the Cherokees of that very Treaty of 1777; & urge the Law of No Carolina passed in 1783— for opening the Land office & declaring the Indian boundaries & hunting grounds— as the terms of the Conquerers— that this Law is neither against the Laws of Justice or Nations, that tis only taking into possession & preparing for Cultivation a Territory within the Chartered Limits of the State not actually occupied by Men— & to defray the expenses of the War against the Natives who were leagued with the Common Enemy— that regard & proper attention to the Natives are not neglected in as much as a tract of Country nearly 200 miles by 40 is reserved for them including nearly all their actual places of residence &c &c &c— I cannot here omit saying that in my opinion the State of No. C. had it fully in her power before the Cession to Congress to have put every discussion or argument of this Subject out of the question— That Henderson & Co. did fairly extinguish the Indian claims to the Lands named in the Deeds appears to me clear enough, but whether the titles to these lands could with propriety Vest in them is a question I cant pretend to decide fully— if the title however did not *vest in them*, it surely did in the Community or State of which they were Members or Citizens Viz No. Ca. and they should have been fully & generously compensated for such eminent Service to the Community, and that community should have enjoyed the advantages of the enterprize of their fellow Citizens— but I believe our State declared the purchase of the Coy. Void, and did not pretend to derive any advantage from it— this was perhaps wrong. When our Troops marched into & subdued these Cherokees in 1776, 80 or 81— after they had broken the Treaty of 1777 there might most certainly have been obtained by Consent (*through fear*) some acknowledgment from them, either that they would remain at Peace *under the Protection of N. Carolina*, or that they would agree the line fixed in 1777 should be so far altered as to pay for the expenses of the War with Lands to the West of that line— Nothing of this kind was done on the part of No. C. whilst So. Carolina availed herself of that state of things to

substantiate claims for some of her Western Country— We have to encounter with another great difficulty in ascertaining how and where the several treaty lines run, & those lines in the Compy's deed on Powell & Holstein Rivers to point out the part & probable quantity of Land included in the Cession to the Cherokees at the late Treaty— We have a map of the So. Ws. Territory made by Doctr. Williamson<sup>5</sup> from materials furnished by Genl Smith of Cumberland as tis said, but all persons who know anything of Powell River, Valley & mountains— Holstein, Cloud Creek &c &c assert that the Map is most incorrect as respects that part of the Country in particular— Which you will see is a great misfortune as in that quarter all the Treaty Boundaries & purchases begin— and it is in that country where the Company's 200,000 acres are granted— I think your *grant* or patent should have been forwarded & the Law of the State granting the same— It being private is not in Iredells Revisal which is only lately discovered— the several arguments and objections which I have stated to our claims & rights are only those which in private conversation have been offered, and I mention them to give you some idea of what may be expected in a Public discussion

You may be assured that all the Members from the State will do what they can towards effecting Justice to the Company & all others claiming Lands under the State But between ourselves so great and important a Subject should have very *able, Learned & Eloquent advocates*, this (again between ourselves, as you don't know it—) is Not the case I fear— don't suppose I mean any demerit to the Del - - - n,<sup>6</sup> I am certain we all mean well, but you

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5 Dr. Hugh Williamson, of North Carolina, member of the Philadelphia Convention that framed the Federal Constitution; member of the Congress of the Confederation from 1784 to 1787; member of Congress from 1790 to 1793. Dr. Williamson was a physician, naturalist, and historian. For an extended sketch of this interesting personality see Wheeler's History of North Carolina, II., 91, *et seq.*

6 Delegation from North Carolina in the halls of Congress. Evidently Grove wishes to transfer the burden of the company's interests from the shoulders of the North Carolina delegation to the hands of counsel paid by the company: yet he does not wish it to appear that he is not zealous for his constituents' interests.

know better than I can tell you what one might say *of us all*: a Man may be very capable of judging & forming a tolerable just idea & determination on a subject when he hears all the arguments, takes all the evidence that may be offered, who would make a bad hand of stating & suming up all these arguments with decency— In short one may be an Excellent Jury man, who would be a bad advocate or Lawyer— and a number of reasons seem to impress me with a belief that the subject of our claims are more properly a Judicial question, than a matter of Legislative interference, in the first instance Was there any Court Competent to the Subject—

You shall hear from me as soon as anything is done in this business, & therefore shall proceed to other matters of Congressional deliberation &c — —

We have passed a Law for raising the pay of the Militia to 6 2-3 Dollars per Month when called into service I hope & believe there may be few occations to trouble them— but you recollect there was much uneasiness on this subject last summer in our State.<sup>7</sup> Some further Amendmants are proposed to the Militia Law— including a proposition of arming those Citizens who are not able to purchase & equip themselves &c— a Bill has passed our House amending the Naturalization Law,<sup>8</sup> prolonging the time of Residence to 5 years before Aliens can become Citizens and to make Noblemen & others holding titles in Europe renounce such titles before they are admitted to the rights of Citizens— these amendmants have been brought forward & advocated under the impression that most of the Emigrants to this Country at this time & perhaps for some time to come, are very highly charged with *one or other* of two political manias— the spirit of *Aristocracy* or of *anarchy*— both have indeed been in some cases evident— but I confess I was not so fully impressed with the Necessity or policy of this Law as seemed to be generally the case with the Members— altho there are & may be some such Characters, I am persuaded the

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<sup>7</sup> Caused by the general opposition to the federal Excise Law, culminating in Pennsylvania in the so-called "Whiskey Rebellion" in 1794, the summer previous to the date of this letter.

<sup>8</sup> This Amended Naturalization Bill passed into law and was approved January 29, 1795.



good sense of the whole will never give way to their follies, and mad views I feared such a Law might check the spirit of Emigration to this Country, which in my opinion for a Century to come should be encouraged by every reasonable means; I am led to this impression the more strongly by being a Southern Man;<sup>9</sup> tho many differ with me as to the policy of this Subject—

A very important subject is under consideration as respects the whole community, tis the forming and establishing a Systematick plan by Law for paying off and Sinking the Public debt<sup>10</sup>— I think it will be done, & if we remain at peace & our Revenues continue increasing as for 2 years past & Government not extravagant, the whole may be paid in 12 years, by redemption & purchase on the part of Govert. without one penny additional tax— then being out of debt the Government will have no excuse to continue any Revenue Law<sup>11</sup> which may be thought impolitic or injurious— I confess myself in favor of applying every nerve of the Governnt. towards melting down that Public debt which hangs over us, & which has in many cases been considered as a Colossus of Speculation<sup>12</sup> which had infused itself into the Administration of our Federal Councils to the dishonour &c. of C - gr— Whether this be true, or not is not in my power to answer but I fear there has been too much reason to found such an opinion on and from my heart as a Man, as a friend to Justice, to the Constitution & the Peace of my Country, I lament it— and the sooner the possibility of such

9 Grove was singularly clear-sighted as to the needs of his own section, though the vision of many of his compatriots had already begun to be obscured by the incubus of slavery.

10 Upon the meeting of the 4th Congress in March, 1795, it was found that the Republicans were in a majority in the lower house, quite a safe one at first. This majority determined upon retrenchment in public finance as a rebuke to the Federalist party. Grove, despite his ardent Federalist principles, sympathized with this purpose of his party opponents and lent it his encouragement. Temporarily defeated, the plan was resumed when Jefferson became president in 1801.

11 A reference to the federal Excise Law, passed by Congress May 8, 1792, and repealed by the Republican Congress in 1802.

12 The assumption of State debts by the federal government during the first Congress gave rise to much speculation in the public securities that to a degree cast discredit upon Hamilton's wise financial policy.



an influence (if it does exist,) is removed the better— and therefore instead of Indian Wars &c Let us pay our Debts— and make a fair start— for so far as I am capable of judging from experience in our own Country, and reading of others— I think a large Public debt the very opposite to a Public Blessing—

I make no doubt you partake in the general anxiety respecting the result of our Demand &c at the Court of St. James,<sup>13</sup> & at the Silence of the President on that subject he having not laid before either House one Syllable of Mr Jay's Communication— Some here think this amiss in him, but perhaps while the business is in a fair train & nearly completed it might be improper to disclose parts— therefore We are on the top of hope & expectation that all things are well, & like to be better in a little time— before the Sessn. closes we must know everything, or— the public mind will begin to despair— If events in Europe can have any influence on the British Court ( & I confess to think they must have important effects ) these events seem to favour our Expectations to obtain all our Just demands—

I have seen a letter of the 2d. Nov. from a Merchant of Consequence in London to one of that kind here, which enters into detail of the nature & objects of Negoceation between the British & American Ministers, he says Commissrs. are to be appointed to fix on the Boundary to the No. Es. as fixed in the Treaty viz to determine on the proper River St Croix— that all our Western Forts are to be immediately delivered to us—that Commissrs. are to ascertain the loss of Negroes actually taken by the British during the War & payment made— that all kinds of impediment are to be removed respecting the payment & recovery of old British debts— and that we are to have a free trade to the Ws. Indies for Vessels of or under 120 tons— altho all these things are probable, politic, & just as respects both Nations, remember tis Merchants News—

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13 John Jay, of New York, had been sent to England in May 1794 to negotiate a treaty of commerce with that country and to settle all outstanding differences left over from the Peace of Paris in 1783. As is well known, the treaty when finally effected was entirely unsatisfactory to the bulk of opinion in this country, yet the Federalist party, in an extra session of the Senate, was strong enough to force its ratification despite the storm of protest throughout the country.

that I may have the pleasure of Confirming it all & more from official information before the 3 of March is my Sincere prayer— That Prusia has solicited and obtained Peace with the French Republic<sup>14</sup> is Confermed from all quarters— that Spain & Germany are Negotiating to that end with the French is also most certain— that the States of Holland are Willing & must accept any terms is evident for the French are nearly in Possession of their Whole Country— The French begin to treat the Conquered People with the strictest Justice & respect, & propose to grant the request of the States of Holland, upon their, *in every respect* detaching themselves from England & its interest— Indeed it seems to be the whole bent of the Convention & Nation of France to establish the *River Rhine* as the extent and boundary of the Republic & to have Peace with all the World but their old Rival and Enemy Gr Britain, who it seems they are Resolved to have one fair Campaign with, perhaps with a view of paying that *Nation in coin*, as to dictating a Form of Government for them— What the consequences and results of all these transactions will come to the L — d only knows— but I hope the Spirit of Moderation & humanity which seems at present predominant in the Convention may bring about a Speedy & glorious Peace to the advantage of the real liberty & happiness of Mankind, in those Nations more particularly where the reverse has been too prevalent:

That the French meditate some attack on G. B. and the Ws. Indies seems the more probable, from the circumstance, that the Paris papers say the Govt. are aware that too many of their Vast armies should not be discharged at once & brought into the Body of the Nation, before all things on a firm & proper basis are formed on a Constitution & Laws &c. and therefore to humble the pride &c &c of the British Court may be a proper object of Employment

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14 The Republic of France, established September 2, 1792, was now rapidly moving along that aggressive course which was to lead the nation into conflict with all Europe and was finally to culminate in Waterloo, 1815. All public men in America were profoundly interested in European affairs during all this period, and especially in that the influences of the European conflict created the largest political problems of the young American Republic during its first quarter century of life.

of a half a million or so of their brave *Sans Culottes*<sup>15</sup>— This may prove an obstinate and Vexatious Job to them for altho John Bull has been shamefully treated in this War, & much of his treasure exhausted yet if all his family & Connections unite and make War their object without regard to Commerce as the French have done, they would make a formidable and dredfull resistance—

For my own part I dont think tis the real Intert. of America that the Navy of Gr. Britain should be so formadable as it is, for it makes them very arrogant & dictatorial to People they have no business with, & therefore I wish *that part* of their force lessened—

Yet remember I should not like even our friends the French, to have a Very decided Superiority on the ocean to all other Nations in War Ships, and therefore I believe it would not be amiss for them to distroy each others Floating War Machines down to a moderate number—the Peace, Happiness, & Expenses of their own People would be bettered by such an event—and the Americans would have less to fear of either, of their future ambition or mad projects—

I now thank you for your favr. of the 2d. Jany from Hillsboro—the former part of this letter answers it so far as respects the Land business.

I assure you I feel much obliged for the acct. you gave me of the affair between Bob & [*One word illegible*] by same post that brt. your last. Mr Taylor<sup>16</sup> from Raleigh just mentioned something of the affair, in a slight & hasty manner, which would have made me very uneasy but for your letter, giving a full account of the cause & manner of Bob's attack on his old tutor;<sup>17</sup> however from your information of the business I approve of Bob's conduct, only that he did not I fear give the Fellow a sufficient drubbing—

15 A name of reproach and ridicule conferred by the French aristocrats upon those belonging to the extreme republican party, the members of which had rejected short breeches, as an article of dress peculiar to the upper clsses.

16 John Louis Taylor, of Fayetteville, Grove's home, is very probably meant here. He was a member of the State Commons in 1792, 1793, 1794; in 1798 he was elected a judge of the Superior Court, and in 1818 a judge of the Supreme Court.

17 I have been unable to determine who was Bob or his tutor.

for surely there could not have been in my mind a Baser, more brutal, unmanly behaviour than your account of [*One word illegible*] conduct—to be sure the Fellow is lost to every sense of Decency and I hope all who have any pretensions to it will treat him accordingly—

I ask pardon for this Long letter, when I sit down to write or taulk to you, I generally forget how the time passes until *the Bell rings*— Be so good as remember me with respectful compliments to all my Female friends & acquaintances in Hillsboro; and say to any of my acquaintances among the Gentlemen that I should be glad to hear from them—

Pray how does Mr. Ker<sup>18</sup> go on at Chapel Hill and is things like to do well there; the more I think of that Seminary & the State of our Country I mean No. C.— the more anxious I am for its success— our Country wants Men of literature more than any other *want* on earth—

Morse's Book<sup>19</sup> has injured the reputation of our State extremely, by his false, infamous account of the Country & its inhabitants— the Book being the first of its kind published in America since the Revolution was bought with avidity by Europeans, & has undergone a French & German Edition— Dr. Williamson proposes writing the History<sup>20</sup> of the State & I have Subd for 3 Copies, he is a man of such prejudices that I fear all that time which he has acted *so conspicuous a part* in the State— which is from his first coming into it, that the Book will not be much prized— however the early part of the History will probably be correct, for he has great industry in procuring materials— some say he furnished Morse with some of the most objectional parts of his acct. of the

18 Dr. David Ker, first professor and also, as Presiding Professor, the first executive of the University of North Carolina which institution had just been opened Jan. 15, 1795, six days before the date of Grove's letter.

19 American Universal Geography, by Jedidiah Morse, D. D. This book reached its fifth edition in 1812, being published in that year by Thomas and Andrews, Boston, Mass.

20 Williamson's History of North Carolina appeared in 1812. Grove proved to be singularly correct in his estimate of the probable value of Williamson's work, parts of it being of unusual value, due in the main to the author's indefatigability in the collection of material.

State, if I thought so I would despise him—

Carey is now publishing a Geography of the Un States, and I have got him to expunge all Morse's libels— and Gov. Martin<sup>21</sup> has written several little additions to the acct. of the State, that in some measure may commence a refutation of that illiberal and ignorant authors Book— (Morse's)— I have taken care that our Town & Wilmington should not be unnoticed— as respects their Trade &c &c

I intended to bid you Adieu two sheets ago but finding myself entering on the last side of the fifth sheet & 20th. page— I feel compassion for your Patience and bid you Farewell, with a confidence that he who writes or taulks much must be troublesome to his friends— pray then forgive all the Superfluous of this letter and

believe me

with esteem

your friend

& very Hum. Ser.

W B Grove

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*To James Hogg*

Phila. June 24th. 1797

Dear Sir

Mr Rich & Mr McDonald the Commissioners on the part of G Britain arrived in May, & met Colo Innis<sup>2</sup> & Mr. Fitzsimmons the Commissrs. on the part of the U States for adjusting the Business of the old British debts agreeably to Treaty, a Mr Guilnard was nominated by the British for the 5th Com-

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21 Alexander Martin of Guilford, elected governor of North Carolina in 1782 and again in 1789; member of Philadelphia Constitutional Convention, 1787, and United States Senator 1793-1799.

1 Colonel Henry Innis of Virginia, afterward federal District Judge in Kentucky before whom was had the Frankfort hearing of Aaron Burr just before the latter's conspiracy was uncovered in 1806.



missr., & Mr Ames<sup>2</sup> on the part of the U States; the Lot fell on the former; they have formed a Board and are ready to enter on the subject of their appointment, as you will see by their notice in the Ns papers; No Business has been yet brought before them, & Mr Innis with whom I am in habits of intimacy, tells me they have agreed on no particular principles yet, as to the mode & manner of establishing claims; He is opinion all claims must have gone through the Courts of Law before they can be entered on, by Commissioners, who he thinks have not by the Treaty Original Jurisdiction, this however he fears is a point to be contended, and should it be settled in such a way as to extend the powers of the Commissn., from whose decision there is no appeal he expresses an apprehension that considerable sums may be awarded against the U States, which were not intended by the Treaty to be covered.

Mr Innis says he finds a disposition on the part of some of the Gentlemen to make this place the permanent Seat of the Board, but that he shall urge a removal to the South in the fall: agents will be appointed to attend to the interests of the U States, to obtain testimony & prevent frauds & Collusions &c— A report was some time ago in circulation that the Commissn. in London for adjusting claims for Spoilations had refused to proceed, it seems this is not so; the Court of Appeals had indeed adjourned, which might retard the decisions of the Commiss. for a short time. I suppose tis not improbable but the failure of the Federal Court in N. C.<sup>3</sup> may have a like tendency— I regret really that our State has been so unfortunate in failures of this kind, which must increase the dissatisfaction of many, & bring those Courts into disrepute.—

Our affairs with France wear's a gloomy aspect, and yet many

2 Fisher Ames of Massachusetts, ardent Federalist, member of Congress from his State, famous political orator, one of his best known speeches being that in defense of the Jay Treaty made April 28, 1796, two weeks after the Senate had ratified that document.

3 A quorum of the Judges of the Circuit Court for the District of North Carolina did not attend for the June term, 1797, hence there was no court. This made necessary a congressional act, approved July 5, 1797, for reviewing and continuing suits and processes. See *Annals of Congress*, 5th Cong., 1797-1799. Vol. III., 3692. Acts of Cong.



have hopes that matters will be more amicably adjusted by our new mission of Envoys<sup>4</sup> Extraory.; I most fervently hope it may be so, and for the sake of the *Peace & happiness of our Country* We should suppress the honest indignation excited by their *injuries & insults*,<sup>5</sup> provided they adjust matters with Justice & liberality— I can not omit saying what I firmly believe, that many among us have been induced to justify the French more from the enthusiasm we felt at the blaze of their Successes, than from any candid investigation which can be made into their Conduct towards the United States— I suspect those<sup>6</sup> in our own Country who blame the American Government for pursuing measures calculated to maintain the Neutrality of the Country, *have themselves been neutral*, and therefore blame the Constituted authorities because their acts did not go the *length of their mad Views*— While we rejoice at the prospect of a great Nation obtaining rational Liberty, we ought not to forget the Duty & respect we owe to our own rights & Country.

Congress will rise in seven or eight days, without doing any thing more of Consequence than taking some preparitory steps for Defence in case of the worst.

The Spanish Government has refused to run the line from the Mississippi agreeably to Treaty<sup>7</sup> and offer some very flimsy pre-

4 This was Adams' first mission to France, composed of Charles Pinckney, John Marshall, and Elbridge Gerry, the treatment of whom by France resulted in the famous X.Y.Z. affair.

5 France was in a deadly grapple with England and resented America's policy of neutrality. Her minister, Fauchet, accused the America, government of the violation and inexecution of treaties, one of which, made in 1778, he regarded as an offensive and defensive alliance; the other of amity, navigation, and commerce under which France claimed the right of bringing prizes into United States ports, and of fitting out ships against her enemies, all of which the American government opposed.

6 Grove's complaint here is directed against the Republican party, whose sympathies were pro-French. The Federalists' sympathies were with the English in the great international conflict. In case the policy of neutrality was abandoned the Republicans wished to fight England, while the Federalists wished to fight France.

7 In 1796 the United States had affected a treaty with Spain by which the Mississippi River was to be opened, New Orleans made a port of deposit for three years, and the thirty-first degree of latitude agreed upon as part of the southern boundary of the United States. But in 1797 this excellent treaty

tences for this Conduct, but it is pretty well understood that French influence is the real cause, & it is said the Florida's & Louisiana<sup>8</sup> is to be relenquished to the Republic; perhaps Canada may also fall into their hands— If so I fear from their power and *ambition*, they may become troublesome neighbors to this Country.

The Empiror has certainly been driven into a separate Peace in consequence of the wonderful victories of the French armies, the terms have been dictated by Buonaparte<sup>9</sup> under the direction of the Directory; a Congress is to be held at Basle<sup>10</sup> at which some of the German *Princes* & G. Britain are to be permitted to send *Negociators* to effect a general Peace; in the mean time it seems from French papers the Republic are resolved to annihilate the British Government & destroy her Naval power if she can—

If these things are effected it must have great and important consequences on the affairs of Europe and the Commercial Wourld, and I am not persuaded but it would have an unhappy influence on the affairs of our own Country; for either France, or G Britain to have such a Complete power over the other, would destroy rivalship which has at times prevented both nations from overrunning the rights of others.

Be so good as remember me to all friends & believe to be with esteem  
D Sir

Your Hum Sert.

W. B. GROVE

seemed for a time likely to fail. Spain had taken offense at the Jay Treaty with England and refused for a time to run out the boundary line which separated her possessions from those of the United States.

8 West Florida and Louisiana were both possessions of Spain at this date. Louisiana was ceded by Spain to Napoleon at the secret treaty of San Ildefonso, 1800.

9 These terms were not actually signed between Emperor Francis II and Bonaparte until October 17, 1797. It was the treaty of Campo Formio dictated by Bonaparte to Francis, one hundred miles from Vienna and after his wonderful victories in northern Italy. By it the Emperor agreed to the extension of France over the Netherlands and the Rhenish Provinces, and the virtual annexation of Lombardy, Modena, and the Papal States, while Austria was allowed to take over the ancient Republic of Venice.

10 This Congress actually met at Rastadt, November, 1797, but did noth-

To James Hogg.

Philadelphia Decem. 18. 1797

Dear Sir

I wrote you a few lines sometime ago and expect shortly to have the pleasure of an answer, In the mean time tis proper I should give you some information on the subject of your Money put into my Hands to be vested in some public fund here— In the first place the Gold when weighed at the Bank amounted to \$807.37— of course you lost \$2.64— as the sum you gave me was \$810.1— but had not the enclosed moidore (contained in parcel No 1—) proved base, your money would have over run your calculation— It was cut at the bank.— This money I deposited in the Bank on the 18th. Nov.— and have since Deposited the \$500 you gave me in paper.

I mentioned to you that Mr Steele' & others had advised the purchase of *Bank Stock*, Viz Bank Shares, in preference to 6 p Ct. Stock as less liable to fluctuation or depreciation— Bank Stock is above par, & the other something below, but on further enquiries into the subject I dont perceive so much difference in their *actual Value* as I at first apprehended— for instance a Bank Share say \$400 sells at 23 to 25 *pr Ct. advance*, and the Dividend on this is generally 7 p Ct. to 8 p Ct. half yearly— 6 p Ct. Stock is about 17 having had 2 years of the original principal of 2 p Ct. on each \$100 paid agreeably to Law, and the redemption continues to go on at that rate quarter yearly until the whole debt shall be redeemed— this *redeemable quality* in the Debt of the U. States, lessens its value with *Stock Jobbers*. But tis an admirable plan for the public to get rid of the Debt— and should not be deviated from under *No Circumstances*; but in case of War or any great pub-

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ing beyond the ratification of the secret articles of the treaty of Campo Formio. England was not represented and continued the war against France.

1 John Steele, of Salisbury, N. C., Comptroller of the United States Treasury under Washington's and Adams' administrations, and for two years under Jefferson. He resigned his post in the fall of 1802.

lic disturbance, this redemption of principal as well as payment of interest *might be delayed*; but I hope & trust neither will happen, notwithstanding the gloomy prospect of things for some time past as regards our affairs with France. I have advised also with Mr John Storey,<sup>2</sup> the friend of Mr Jno Hogg,<sup>3</sup> who I shall get to do the necessary Business as regards the purchase of the Stock &c. which I shall attend to, so as to see the proper transfer made—

The reason why nothing has been yet done, is, that it being so near the end of the *year*, & *quarter* Mr S. thinks it best to purchase so as to commence from the first of Jany., and he is now casting about for a sum to or near the amt of Cash, I hope ere long to give you further accounts, and I am now the more particular to afford you a better idea of these matters than perhaps you may have had before. —

We have had more harmony in Congress than usual, & I hope a Continuance of it, tho' there has been very little yet before us of a nature to Excite the Spirit of Party— I send you the Report of our Committee of last Sessn. & the Documents relative to Blounts Conspiracy<sup>4</sup>— you will perceive Mr Liston<sup>5</sup> gave more Countenance to the Scheme. than had been apprehended, and I would not be surprised if the President should request his recall; it would gratify many who think Mr L. has had more to do in the Business than has ever appeared, & it would silence those who wish to make a Charge of partiality against the Government— You will also discover an attempt to insinuate that the Secrt'y. of State<sup>6</sup> was desir-

2 Probably a stock broker of Philadelphia.

3 Cousin of James Hogg. John Hogg was a merchant, doing business in both Fayetteville and Wilmington and residing in the main in the latter town.

4 William Blount, first United States Senator from Tennessee, impeached before the bar of the Senate and expelled for exciting the Indians and Tennessee and Kentucky adventurers to make hostile incursions against Spanish territory.

5 Robert Liston, minister to the United States from Great Britain, was included in the plan to make war on the Spanish Floridas. It was for co-operation with this English scheme of wresting the Floridas from Spain that Wm. Blount was impeached.

6 Timothy Pickering, Secretary of State under Adams.

ous to screen the British Minister— I suspect the insinuation proceeded from Malice, or a misunderstanding of Eatons' information to Ripley.

Our Envoys<sup>8</sup> are at Paris, but We yet know nothing of their prospects; I need not tell you that We are *all anxiety on this Subject*. As the *result of their Mission* I apprehend must have an important influence on the affairs of this Country, I earnestly hope it may be favourable to *Reason & Justice*.

There is some flying Report that French Garrisons are in some or all of the Ports on the Mississippi I hope tis not true nor never may be; they are too Powerful and Ambitious to be *honest* and *Just* Neighbors.<sup>9</sup>

Few arrivals latterly from Europe, but what have long passages; but information has got here from several quarters that Admrl. Duncan<sup>10</sup> had a most severe action the 12th. Oct. with the Dutch Fleet— 8 or 9 of the Dutch line of Battle Ships are taken and some of the British Vessels nearly disabled—

It was expected that 3 years after the Mint began to Coin, there would be a Sufficiency of the Silver Coins of the Ud. States in circulation,<sup>11</sup> to admit the calling in such silver Coins as are supposed to have more alloy than is proper, but it is proved to be otherwise, & the time admitting those coins to circulate will be prolonged, as well as for gold coins —

7 Probably General William Eaton, a captain at this date on the Seminole frontier in Georgia, later, in Jefferson's administration the real hero of the Tripolitan war.

8 Pinckney, Marshall, and Gerry. Grove's fears were fully realized a little later in the X.Y.Z. explosion.

9 The general American dread of France as a neighbor on our southwestern border accounts for Jefferson's disregard of constitutional scruples and his hasty purchase of the Louisiana territory in 1803 after it had been transferred by Spain to France in 1800.

10 Admiral Duncan, of the English navy, defeated the Dutch fleet off Camperdown, on the coast of Holland, Oct., 11, 1797. The Dutch were allied with the French.

11 An act of Congress in 1793 had provided that, three years from the day, on which the first silver coin and again three years from the day on which the first gold coin was struck at the mint, gold and silver bearing the stamp of foreign powers should, save Spanish milled dollars and parts thereof,

The Stamp tax<sup>12</sup> will not go into operation until 1st. July— I hope we shall alter and amend the Excise Law<sup>13</sup> so as to remove your objections, in part, at least— by permitting the Distillers to enter for *one week*, at any time through the year, and from Week to Week as they may think proper —

I will thank you to remember me to my friends Mr & Mrs Estes and inform them, I mean to write Mr Estes soon— I suppose they have heard of my Brother Robert Rowan<sup>14</sup> affliction with the Rheumatism.

When he arrived at New York from the Lakes he was as helpless as a Child, he could neither use hands or legs— I Visited him immediately on hearing of his situation, & am happy to say he was much better before he left New York for Wilmington, & that the Medical Men say they have no doubt but that the warm climate, warm bath & Electricity will soon restore him— Be pleased to offer my respects to your family & be assured I am Dear Sir, with Esteem

yr. Hum Ser.

W B GROVE

cease to be legal tender. In 1797 when the three years had expired it was found that the U. S. mint had not supplied a sufficient coinage, hence the time had to be extended.

12 In anticipation of war with France the Federal Congress in 1797 passed a stamp act that required a revenue stamp on such documents as insurance policies, merchants' bonds, promissory notes, bills of exchange, law licenses, and many other documents. It fell under severe criticism of the Republican party in Congress and was repealed in 1802.

13 This was the Excise Law of 1791 against which the Pennsylvania distillers rose in 1794; repealed during Jefferson's first term, but reimposed in Madison's administration under pressure of expense of war with England.

14 Half-brother of Grove. Grove's mother, as a widow, married Robert Rowan, of Fayetteville, who gave the name Rowan Street in that town. The elder Rowan was a member of the General Assembly from Cumberland county in 1778, 1779, 1785. A daughter, Susan Rowan, became the first wife of Dr. Joseph Caldwell, first president of the University of North Carolina.



To James Hogg.

Phila. Jany 18h. 1798

Dear Sir

I some time ago directed Clement Biddle, Broker, to purchase Stock of the U. States to the amount of your money say *Sixteen hundred & Seven Dollars & 37 cents*, & by mistake he has omitted to invest 7 Dollars 37 cents— I now send you enclosed a Regisd. Certificate being the evidence of the sum standing on the Books of the Treasury of the U. States to your credit, the interest, and reimbursement of 2 p Ct. thereof, can only be drawn by your atty for that purpose.

Mr. Biddle's acct. if inclosed by which you will see the real state & nature of your Stock, leaving in my hands 7 Dolls. & 37 Cents subject to your order, or to be added to any other sum you may choose to invest in this way —

In reply to your enquiries how monies can be got from our Country to this place, I can give you no information unless you can meet with Bank notes.

I have made some enquiries about the Value and probability of selling your Lands in Tennessee & Kentucky within Henderson grants<sup>1</sup>; I am told these Lands must become Valuable, but at present not more than half a Dollr. could be had for the Kentucky Land, & the Value of Powels Valley will depend on the extinguishment of the Indian claims, and this event is likely to take place shortly, as the President has nominated Mr Ad. Moore<sup>2</sup> of N. C. Bushrod Washington<sup>3</sup> of Virga. & Fisher Ames,<sup>4</sup> to hold a Treaty with the Cherokees under hope that they may be prevailed

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1 The Transylvania Land Company, explained in an earlier note.

2 Alfred Moore, senior, of Brunswick, N. C., Attorney General of North Carolina, 1790-1798; Superior Court Judge 1798-1799; Associate Justice of the United States Supreme Court 1799-1805; resigned on account of ill health, and died Oct., 15, 1810.

3 Relative of President Washington, member of Congress from Virginia, appointed by Adams an Associate Justice of the U. S. Supreme Court.

4 Fisher Ames, of Massachusetts, noted earlier.

on to sell & relinquish some of their Lands to which the white People have legal claims under N. Carolina, and I am induced to think tis probable, that part of the Country where your Lands are situated is the most likely to be given up by the Indians —

I hope Mr Moore may be prevailed on to accept and act in this Business; there are very considerable interest in No. Carolina depending on this matter, & indeed the Peace of the Country is in some measure at stake, for the honest claimants will never be at ease until they see a fair attempt made on the part of the U. States to obtain those Lands from the Indians, & the weight & respectability of the Commissioners will go far in *satisfying good Men* let the result be as it may — I wish the frauds<sup>5</sup> lately discovered at Raleigh may not have a bad effect in this Business, I assure every Body here, the *State will sift the matter to the bottom* and not permit any of those fraudulent claims to prevail — yet it may create doubt &c &c

In haste I am

D Sir your Hum Sert

W. B. GROVE

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To James Hogg.

Phila. Jany 18th. 1798

Dear Sir

By this mail, & of this date, I have sent you a letter covering a Certift. of the Six p Ct. Stock which was purchased with *Sixteen hundred Dollars* Cash at 16/10d in the pound— I hope that letter & its enclosures may arrive safe— you must have an atty or agent here to convert *your interest & dividend of reimbursement*, as it becomes due at the end of each quarter into New Capital by this means it has the effect of Compound inters—

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5 Certain frauds in the Land Office at Raleigh under Glasgow. Glasgow was removed from office in latter part of 1797 and a commission appointed to sift the whole matter.

The Commissrs.<sup>1</sup> on British debts have done nothing *decisive yet*, as Mr Fitzsimmons tells me; they have been delayed by their Colleague Colo Innis of Virga. who has been very ill; they have however been preparing Business and will probably soon proceed to fix on *principles* after that is done they will make pretty short work of such claims as may be brought before them— and I fear they will bring *us* in deeper than was expected— this will certainly be the case if it is determined to take up any Business that has not gone through a Court.

I am amazed you have not urged your Brothers Creditors<sup>2</sup> forward before now; If I have rightly understood the situation of that Concern, they have claims for legal impediments if any in America have— In my letter, of to-day I have told you what had been done towards satisfying the No. Carolina land holders in Tennessee;<sup>3</sup> I hope the result of it may be favourable to all sides and that Mr. Moore may agree to act as one of the Commissioners— I think it would be but *Justice* that some of the gentry lately taken in committing frauds<sup>4</sup> should grace Gallows Hill— Nothing but hemp will keep such fellows from preying on the honest part of the World I apprehend as long as they live —

I am both ashamed & chagrined at the Conduct of my old friend Genl. Willis;<sup>5</sup> I told him [*Words illegible*] delicate terms as I

1 Mr. Rich, Mr. McDonald, and Mr. Guilnard on the part of Great Britain and Mr. Innis and Mr. Fitzsimmons on the part of the United States.

2 James Hogg and his cousin, John, were members of a mercantile firm doing business in Wilmington and Fayetteville and had suffered certain losses at the hands of the British during the Revolution. They were now looking to the commission for an adjustment.

3 Congress had lately appointed a commission consisting of Bushrod Washington of Virginia, Fisher Ames of Massachusetts and Alfred Moore of North Carolina to undertake a negotiation with the Cherokee Indians with a view extinguishing their claims to lands in Tennessee that had been granted by North Carolina before the cession of Tennessee to the federal government.

4 The frauds in the land office, mentioned in a former letter and explained in note.

5 I am unable to determine who General Willis was, or the import of this reference. It may have been John Willis of Robeson county, member of State Senate, 1787-1791, and member of the Commons 1794 and 1795; also a trustee of the State University from 1795 to 1801.

could that he was [*Words illegible*] the first, but I had no conception he would have bottomed his opposition in the manner and on the grounds his Petition held forth; it seemed to be the mere effusion of Violent Passion directed against a whole People.

With best regards

I am Dear Sir

your Very Hum Ser.

W. B. GROVE

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*To James Hogg.*

Phila. Feby 14h. 1798

Dear Sir

I have latterly had such a host of letters to answer from different parts of the State, that I postponed writing you immediately after the recd. of yours of the 18 Jany covering a line for Mr Storey:<sup>1</sup> I am now to acknowledge that letter, also yours of the 26 same month enclosing the unfortunate Generals *paper War*, from which it appears he so exposed *his lines* as to suffer the Enemy to break through them & *cover him with disgrace*

I can assure you I have felt not a little Chagrined at the whole of this affair— With you, and many others I entertained a good opinion of Genl. Willis, and indeed had a regard for him beyond common friendship, and as I was confident he knew it, I took the liberty of prevailing on him not to Contest the Election of his opponent, and said more to him on that head than I would to most of my acquaintances; but he was Resolved, little did I expect he could or would have gone on the ground he has taken— I have written my mind to him pretty freely—

Mr Storey will write you in answer to your letter to him, and says he will attend to your Business, rest assured that I shall at all times aid him, in any of your desires as to Matters here, with pleasure.

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1 A Philadelphia stock broker, referred to in letter of date Dec., 18, 1767.

I hope the Certif. of your Stock has reached you in Safety, and that you are not dissatisfied with what I done, tho' I perceive that 6pC have fallen to 16/8d.

I should advise you still to lay out your money in Bank Stock, a Share originally was 400 Doll. they are over par from 20 to 22 pC— so one share costs \$480. to 488— any Surplus over the price of a Share to be laid out in 8 pCt.— so you will have all your money *Vested*; and in case of any uproar, war &c. your Bank Shares are safest— tho' I am of opinion all the funds are secure, yet they may not be so in the public estimation— this is said to be a fine time to purchase as the uncertainty of affairs have a greater effect on the *Stocks* than the risk warrants —

As I wrote you fully on this subject before, I need add nothing more; I also asked you the price of your Kentucky Lands &c &c., this however is a bad Market I am told for new Lands, yet I might fall in with some person inclined to purchase if I could say at what price you held them.

Pray will Mr Moore accept the appoint. of Commissioner to treat with the Indians, it is considered of importance here, that something should be done If Possible to obtain those Lands from the Cherokees— The Executive is fully of this opinion, & therefore he made so *weighty* an appointment as Moore, Washington and Ames. In consequence of the Death of Genl Skinner the Commissr.<sup>2</sup> of Loans, our Senators<sup>3</sup> & Mr Steele,<sup>4</sup> recommended Colo Rowan<sup>5</sup> to fill that office, and the President has nomenated him, he will I suppose be concurred with by the Senate— & the office will be kept at Fayette Ville —

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2 Joshua Skinner, of Perquimans county, appointed commissioner of loans by President Washington; was member of State Senate 1790-1794.

3 Timothy Bloodworth, of New Hanover, and Alexander Martin of Guilford, both Republicans. Bloodworth succeeded Benjamin Hawkins, Federalist, in 1795, and Martin succeeded Samuel Johnston, Federalist, 1793.

4 General John Steele, of Salisbury, comptroller of the U. S. Treasury under Washington, Adams, and through a part of Jefferson's first term; was influential in the distribution of federal patronage in North Carolina.

5 Robert Rowan, of Fayetteville; Revolutionary patriot; first signer of the "Cumberland Association," June 20, 1775, formed for the purpose of resistance to Britain; frequently a member of the State legislature from the Revolution to 1785.

No accounts from our Envoys in France that are official— some late news state that 3 Commissrs. are named to adjust differences with them at Paris, bad news is apt to *travel fast*, or I should have no hopes left, as things are, I have *yet some hopes*<sup>6</sup> —

We have been shamefully perplexed with a Dirty matter committed in Congress Hall, by one of the members on the Person of another,<sup>7</sup> on the outside of the Bar of the House — you read the papers & need say nothing of it, as those Vehicles of Scandal are filled with it, to our Shame — It may not be amiss to say *Lyon spit* in the face of Mr Griswold, & we could not expel him for this *dirty assault* — 64 Votes made 2-3d. & 52 only Voted for his Expulsion, 44 against it— As an example I wish he had been Expelled, it is proper to deal with severity against those who shall dare to Violate the Sanctuary of a Deliberative assembly.

I want to say a great deal more to you, but at present have not time — Remember me to all friends, and be assured I am

D Sir

with regard & esteem

y Hum Ser

W B GROVE

The Snow is 6 inches deep  
& the river again fast —

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6 See Note 4, letter of date June 24, 1797.

7 Matthew Lyon, member of Congress from Vermont, rabid Republican and very much hated by the Federalists, made an attack on the floor of the House upon another member, Roger Griswold of Connecticut. The House failed to expel him, though he was later tried under the Sedition Act for the publication of a letter in a Vermont paper severely criticising the government for its "ridiculous pomp, foolish adulation, and selfish avarice." He was fined \$1000 and sent to prison for four months. His friends got up a petition for his pardon, but as he refused to sign it, the President refused to pardon him. But he was triumphantly re-elected to Congress while still in prison.



To James Hogg.

Phila. March 23d 1798

Dear Sir

My Correspondents have so increased latterly, which in addition to my duty, in these unpleasant times, to extend my Communications to my Constituents, has prevented me from writing to you for sometime past — your favour of the 21st ult. came to hand a few days ago, and afforded me pleasure to hear you were well, and that my letter covering the Certif. of your Stock had reached you in safety — I perceive the Value of Stocks are affected by the very unpleasant state of affairs with France — this is to be expected in any Country, but especially in a young Country like ours, where Capitals are invited into a thousand other Channels — I cannot think however things can ever become so desperate among us as to induce a departure from the plighted faith of the Govt. — It may be Possible the redemption of the 2 p C. Capital may be diverted to more pressing objects — I say thus much to you as I presume you may feel some anxiety on this score — for myself I feel none, having never had one penny of Funded debt, or Bank stock in my Life — this has been owing to a thousand reasons, but one of them alone was sufficient — viz I had it never in my Power or inclination to purchase —

To you it is unnecessary to go into detail on the state of our affairs with France,<sup>1</sup> you can & have investigated with coolness and candour the unremitted Solicitude of the Govt. of the United States to maintain Peace & amity with the French, while they have been trying how far they can insult Plunder & degrade us, because we were not disposed to make our Country a Tool to their Views & ambitions — I have on every occasion from the present Revolution in France felt and expressed the most sincere hope that

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1 The X.Y.Z. disclosures had reached Philadelphia March 5, and left Adams' government sorely perpled and offended. Grove, as an ardent Federalist, shared the sentiments of that party relative to that course of America's relations with France. In this letter he is adroitly using the insult from France to justify to his constituents his well known anti-French attitude.

the event might terminate speedily in a Government calculated to make them a Free & Happy People — and while I lamented & Shuddered at many of the transactions of that Country, I still hoped and believed for a long time, that each of those horrid events, would be the last act of Disgrace & Tyranny that should be committed under “Fair Liberty’s sacred name” — But alas! how silly have I been as well as thousands of others on this Subject —

Ambition, avarice, & Bloody Revenge seems now to be the order of the Day among the Rulers of France, and these, they seem to deal out to the Nations around as if they meant to destroy the Wouuld — Even the Peaceful and unoffending Americans must partake of their overflowing Wrath — our increasing Wealth & happiness has become painful to them — and as we were once their allies they seem disposed to treat us, as they have their own Country, & reduce us to a State of Poverty, & wretchedness — as they have Holland —

With all my attachment to the Cause of the French, let me here avow what I defy the Wouuld to deny, *that my Love, Veneration & Duty to my own Country* was never *shaken*, by the blaze of French Victories, or any other Circumstance on earth — and I can look back with pleasure to every Vote I gave from the days of Genet<sup>2</sup> to the present moment, and console myself that those votes have been in support of our own Govert. and the genuine principles of Neutrality that was adopted. — even in 1794 when British Depred. had agitated & inflamed all our Minds, I had the good fortune to be on the Side of Moderation and Negociation, tho it was then called a Pussillanimous measure by men who now are as gentle as Lambs in the Case of France who have denied to Negociate with us, altho We have made two attempts.

I have taken the liberty to write of myself thus freely to you, to whom I am in some degree accountable as a friend, and my constituent. —

The Presidents last Message on the 19th. March exorting us to

<sup>2</sup> Edmond Charles Genet, first minister of the French Republic to the United States, arrived in 1793. Genet insisted upon disregarding American neutrality between England and France; treated President Washington in a very boorish manner and finally forced the government to request his recall.

take vigorous measures for the Defense of the Country & Commerce of the Nation in case of the worst, is called here a *Declaration of War* & is highly Censured by those who have generally opposed every measure of the Adm'n. since the Present War has commenced in Europe — While General Washington was President, the same opposition existed as does now, for Mr Adams has adopted and avowed he will pursue the same line of Conduct & Principles — But let it be remembered that Mr Adams Character however irreproachable it certainly is, does not carry with it that Confidence & Veneration which was entertained for Genl. Washington's, particularly in the Southern Country — It is therefore of the utmost importance at a time like the present, that all men who regard the *Honour & interests* of the Country, should come out Boldly & plainly to Inculcate union, & *Confidence* in the Government.

I mean that union of Sentiment whereby every Man pledges himself to stand by his Country and support the National Political institutions thereof, which secures to all in the Community Life, Liberty, & Property — and that Honest Confidence, which examines and appreciates with Candour the acts of Public Men & measures. — It is said and believed by some. that the French have been taught to consider us to the Southward as *Devoted to their Will*, and from a persuasion of this kind they expect to Divide Distract and Govern us — the Idea is as false as tis Degrading to our Country, and I feel Confid't. If it should be ever Necessary to Defend and Protect ourselves against an Invading Enemy,<sup>3</sup> the People to the South will to a man repel the Foe, whether he comes under the name of a British, or Spanish Monarchy or a French Republic — I have written fully to many of my friends in N. C. on this subject, and I can not help adding that I hope a true American Spirit of attachment and regard for our Government may evidence itself among the People, and that they may set a noble example of *Self-respect, and Veneration* for the Constituted authorities of their Country — If they do not, We may become the

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3 Grove is anticipating war with France, a thing narrowly averted by President Adams' second mission to France in February, 1799. Indeed naval war had already begun.

Sport of Foreign intrigues, and intestine Broils — and the Fate of Poland may be our Lot — If so, it were better our Ancestors had never found this New Wourld —

Remember me to all friends, & Be assured I am

Dear Sir

Your friend

& Humble Sert.

W. B. GROVE

*To James Hogg.*

Phila. May 29th 1798

Dear Sir

I am now to acknowledge the receipt of your several favors of the 17h. April, 2d. & 16th. May from Fayette Ville—in reply to the former I can assure you [*One word illegible*] glad to find the affairs of our University are getting forward so cleverly — the Friends & promoters of that Institution are the real Patriots of No. Carolina.<sup>1</sup>

I can not but feel much satisfaction in the account I receive from Various parts of the State, that it is likely our representation<sup>2</sup> in Congress will be more respectable for Talents & proper qualifications for such a Situation — I can not help thinking that one of the greatest causes of the loss of Confidence of many in the Federal government arises from that Source — How in the name of God is any Government to act wisely, or remain Reputable in the eyes

1 Grove was a member of the Board of Trustees for the University from 1789 to 1818; his correspondent, James Hogg, was a trustee from 1789 to 1802. Both were deeply interested in its fortunes.

2 At the date Grove writes he was the only Federalist in Congress from North Carolina. The French war scare and the popularity the government derived from its prompt resentment of France's course in the X.Y.Z. affair caused North Carolina to return four Federalists in 1799, these being Grove, Archibald Henderson, Wm. H. Hill, and Joseph Dixon. North Carolina had ten representatives in all at this date.

of a Jealous & discerning People, If they themselves appoint Men totally incapable of thinking or acting on the great affairs of a great Nation — permit me my good Sir, to say, what I do, with sincere regret. I lament there are too many of this description in the Counsils of our Country, who are more the Representatives of Prejudice and illiberal Suspicion, than of the true interests and sound policy of the U States. I will add what I am sure you and every reflecting Man in your District already knows full well, that *your member*<sup>3</sup> is not among the *most enlightened*, of the *most ignorant*; — and to learn that he is likely to have a majority of the Suffrages of so Respectable a District again is certainly a singular thing, unless indeed you are Resolved to Satirize Congress as some suggest.

Let me here assure you I am not actuated by Personal feelings, or difference in Politics to make these remarks — they spring from a higher Motive. —

Your remarks on Mr Harpers<sup>4</sup> speech are in a great degree just enough, but as false Religion has been made the Cloak for great Vices, so has a pretended Philosophy been the ground work of Vast mischiefs — In the eyes of the discreet & discerning, true Religion, & real Philosophy. should not loose any of their important & Divine influence, because base men have prostituted both by false pretensions —

Your observations relative to the incorrect information on the real State of affairs among the great mass of the People, & the causes of it correspond entirely with my own opinion; to find fault, abuse, and write infamous insinuations to Degrade our own Government, is the highth of some Mens Ambition, & the greatest evi-

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3 Grove's party bias incapacitated him for a fair estimate of his party ap-  
ponents. His reference here is to Nathaniel Macon, Republican representa-  
tive of the Hillsboro District (Warren, Franklin, Granville, Wake, and  
Orange counties) from 1791 to 1815, in the latter year entering the United  
States Senate where he served until 1828, resigning because of advancing  
age. Macon was Speaker of the House of Representatives from 1801 to 1806.  
Without showy qualities, Macon possessed a keen, though perhaps some-  
what narrow intellect, and was unquestionably one of the ablest legislators in  
Congress during his thirty-seven years of continuous service.

4 Robert Goodloe Harper, an able and active Federalist member of Con-  
gress from South Carolina.



dence of their attention to the Happiness & interests of their Country men; — their object is to flatter the ignorant, & to increase their own Consequence among the Malcontents; this Kind of *Patriotic* information is jumbled together in a *printed Circular* and sent throughout the Country to Poison the People like the effluvia which rises from this City in the *time of a Pestilence* — I now and then get a squint at these effusions of Congressional Literature, & baseness — for I consider it the basest act on earth to libel and Degrade ones own Country —

I have lately seen a printed letter of this kind by chance, sent by a Colleague to the Western District, *I say sent*, for tis evidently not penned by him — tis replete with charges & insinuations the most false and inimical to the Union, & the Independence of America — and to confidence in the Government of our Country that you can Conceive, and in my opinion If the People can rely fully and implicitly on the Information, they should resist the authority of their own Governnt. — If a Copy of this Letter can be had it will be and must be published — and indeed I am not sure but some further notice must be taken of it — the name of Joe McDowell<sup>5</sup> is annexed to the letter I allude to — and my reason for Supposing *he did not pen it*, is that tis generally spelt right, & the stile & grammer is tolerable tho this may have been done for him by a contemptable wretch here named Calendar<sup>6</sup> who tis said gets his bread by writing circulers for the more illiterate Jacobin Mem-

5 Colonel Joseph McDowell is here meant. He was a Republican of the strongest type, and representative in Congress of the Western District of North Carolina from 1793 to 1795 and from 1797 to 1799. Colonel McDowell was a major at the battles of Cowpens and King's Mountain; after the Revolution was often a member of the General Assembly; was a member of the State Constitution Convention of 1788; also a commissioner to run the dividing line between North Carolina and Tennessee. He died in August, 1801.

6 James Thompson Callender, a Scotchman, serving as a hack writer for the Republicans in their attacks upon the Federalist Administration. He was frequently used even by Jefferson himself to perform unsavory political tasks. In 1800 Callender was tried under the Sedition Law for the production and publication of "The Prospect Before Us," an attack upon Adams and the administration. A fine of two hundred dollars and imprisonment for nine months failed to reform him, he devoting the period of imprisonment to the production of further scurrilous pamphlets.



bers<sup>7</sup> of Congress.

I made the enquiry you desired about Messrs. Laird & Edie, and learn that no claims from them are before the Board — Very few claims are before the Commissrs.,<sup>8</sup> their Determination on these will establish the Principles that will govern them on all Similar cases, & We are in great fear that very different Constructions are intended to be put on the 6th. artic. of the Treaty than we expected, which will have a Very unpleasant & arbitrary, nay unjust, operation on the U. States.

I can assure you that I feel much gratified that your prospects are so favorable from the rising Value of your Western Lands — and I hope they may enable you to get through any and all old embarrassments which has given you so much anxiety — It is said that Kentucky Lands in the old Settlements are rather on the fall, perhaps your's may rise in proportion being on the frontier.

Your last of the 16th. from F. Ville I can not now answer, as I have seen none of the Heirs of Mr Morriss<sup>9</sup> to taulk to them on the subject of your letter, but I will attend to its object. —

We had not learned by last accounts that our Commissrs<sup>10</sup> had left France, and We are astonished at their remaining in that Country after assurances they would leave it before now, & the accos. of Negotiations being Commenced is without Foundation — I fear they have been Deluded to remain under Various pretexts, for the insidious purposes of keeping alive the hopes & designs of their friends among us, while they were preparing to take more Hostile measures against us.

Our Coast — Bays, & mouths of Rivers have been for some time past swarming with French Picaroons & Privateers who take all Vessels they meet with in, or outward Bound — Our Small Fleet will soon be at Sea, & We have Authorized the taking &c all such Piratical armed Vessels as may be found on our Coast Committing

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7 The Republicans were called Jacobins by the Federalists because of their pro-French sympathies.

8 Commissioners on British Debts, already noted.

9 Reference to the settlement of an estate of which Grove was administrator.

10 Adams' first commission, Pinckney, Gerry, and Marshall.

Depredations on our Peaceful Commerce — this measure the opposition gentry have the folly & impudence to call *waging war*<sup>11</sup> *on the French* — thus to Defend our property & Country against the basest plunderers, brings upon the Adminisn. the Vilest epithets — and charges of partiality for Britain — These Gentlemen even try to induce a Belief that all the Conversation of our Commissrs in Paris was with a lot of Swindlers &c. &c. — & that the great Directory had no hand in the Business —

However a Genl. Hedonville who the French have lately sent to Command in the Ws. Indies having seen the Dispatches were published in this Country, has written to the French Consul here, a letter which he and their Emissaries in this Country thought might be useful in taking off part of the odium on the French Govert. & it has been published — but that letter Confirms if any Conformation was wanting that the French Govert. had Resolved to *demand of us Contributions &c &c.*

I shall end this letter by saying If I did not see a Spirit among some People to prostrate our Country & its Independence to France, I should feel no fear or apprehension from any Foreign Nation on earth, for I verily believe we have little to fear from any Nation except that Ambitious & avaricious quarter —

With best respects to all friends I am

Dear Sir

your friend

& Hum Sert.

W. B. GROVE

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*To James Hogg.*

Philadelphia July 8, 1798

Dear Sir

I wrote you a line immediately on the arrival of Genl.

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<sup>11</sup> Desultory naval warfare begun with France almost immediately after the X. Y. Z. disclosures.

Marshall,<sup>1</sup> & informed you of our expectation that *your friend Genl Pinckney* would soon be with us, as he left Paris about the 15th. of April and went to the South of France only for a short time to recruit the Health of his Daughter – since that we have no accounts of him, I earnestly wish for his arrival & Safety.

Mr Gerry<sup>2</sup> remained in consequence of Tallyrand's intimation, & contrary to the opinion of his Colleagues, & of Genl Pinckney's in particular – this conduct of Mr G. has excited some uneasiness, more especially as tis an evidence of "the Diplomatic Skill of France" to Divide and Disunite us – his friends seem confident he will do nothing to dishonour himself, or the Nation, and yet his obstinacy may increase our Difficulties by keeping alive the Spirit of the Partizans of France among us, for it begins now to appear pretty clearly that this Country must either become *Tributary to France*, or Defend itself with *Vigour & energy* – The latter is certainly the Choice of all Men who regard the *Independence, or rights of a Free People*, and under this impression Congress have acted since the Views of France have been fully unfolded – If We are united & true to each other, We can procure Justice & an honorable indemnification, & will prove to the World, that tho' We are slow to take Arms even to avenge our Wrongs, yet when insulted into resentment, We will act like Men who know the Value of our rights, & who are Resolved to Defend them at the risk of every thing – We have greatly augmented our Maritime force, & from the public spirit of the monied men in the great towns, It is expected we shall add several Frigates &c to our little Fleet – private Subscripsns. to an immense amount is obtained in Boston, N. York, Phila. Baltimore &c. to Build Ships to be loaned to Government – We have authorized the increase of our Military establishment to ten thousand Men, In addition to a Provisional Army of the same number, & such Volunteer Corps as may offer their services under the 2d clause of this Law. –

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1 John Marshall, of Virginia, one of the commissioners to France, recently returned to the United States.

2 Elbridge Gerry, the only Republican member of the commission, at the invitation of Tallyrand, French minister of foreign affairs, remained at Paris and had some further negotiations with the French government after his col-

Need I tell you that all our preparations for Defence will require additional funds, We shall however try to apportion the sums to be raised in as equitable a manner as possible.

It is proposed to raise 2 Million of Dollars in the U. States on Houses, Lands, & Negroes, the latter are to be rated at half a Dollar pr head from 12 to 50 years of age - Houses & Lands are to be valued & pay a Certain pr. Centage on their value - each State pays their own quota according to the Number of Inhabitants - White Polls pay nothing.

I hoped to have been at Home before now, and [*Remainder of letter missing.*]

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*To James Hogg.<sup>1</sup>*

*have the utmost respect & Confidence in Mr H integrity & good Policy<sup>2</sup>* yet they are not so drilled as the opposition generally are, Not to dare to express an opinion contrary to the sentiments of a Jef - - n, a Gall - - n,<sup>3</sup> or a Nicholas<sup>4</sup> - Tis probable from the Divisions in the Legislature of this State as to the mode of Electing Electors,<sup>5</sup> that they will have no vote; The Federal Men desire that Electors

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leagues had departed, thus incurring the severe displeasure of the administration and the Federalist party generally.

1 The beginning of this letter is missing. Its precise date cannot be determined, but from the content we know it to have been written a short time before the presidential election of 1800.

2 Thomas Jefferson.

3 Albert Gallatin of Pennsylvania.

4 John Nicholas, Representative in Congress from Virginia and a staunch Republican.

5 Grove wrote from Philadelphia. At that date, like all the other States, three excepted, Pennsylvania chose her presidential electors in joint session of her legislature. In 1800 the Senate being Federalist and the House Republican, there was a deadlock, the Senate hoping to defeat the will of the Republican majority by refusing to go into joint session, thus to prevent the vote of the State being cast at all. A compromise was finally reached by which Adams was given seven votes and Jefferson eight.

should be appointed by Districts, the other party, as in Virgia. want a general ticket by which Faction & party have a greater field to display itself, & the People are obliged to vote for many Men they know nothing of —

New York appoint by *joint Ballot* and no doubt is entertained but Mr Adams will have the whole of that State, also Jersey and the whole of the Eastern States — Delaware — and perhaps the whole of Maryland, as the State Legislature have it in contemplation to meet for the express purpose of Appointing the Electors themselves, to counteract the new Virginia plan.<sup>6</sup> If Maryland elect Districts, it is supposed Adams will have 7 — I do hope that our State will not be so completely under the guidance of her overgrown, imperious Sister again the dupe of her local and insinuating intrigues as upon a former occasion;<sup>7</sup> and tho' Commissioners may be again sent to *reside near our Board of Electors*, and Coax, or threaten them — I trust they will prove of no avail, and that every Federal Man may be as firm as *Martin*, of Moore, who I hope will be our Elector from F. Ville<sup>8</sup> again, and tho' him and myself have some cause to be chagrined, at his not having been offered a Captaincy upon my recommendation & without his knowledge, yet I am persuaded he is above a resentment on the Country, by not voting for Adams because there seems to have been some inattention or mistake, in paying that respect to him which his conduct merited — I have explained the thing to him as far as I am Capable from the information I have had — & the neglect has produced some censure on the War Depart. here, among those who the thing has been mentioned to — But the President knew nothing of this matter, till latterly —

Genl. Pinckney,<sup>9</sup> or Major Pinckney<sup>10</sup> is taulked of as Vice P — by

6 Virginia, North Carolina, and Maryland chose electors by popular vote in districts.

7 A reference to Virginia's influence, politically upon North Carolina, especially in the election of 1790 when the North Carolina Federalists carried only one electoral vote for Adams.

8 Fayetteville, Grove's home.

9 Charles C. Pinckney of South Carolina, Federalist vice-presidential candidate in 1800 and presidential candidate in 1804. In 1800 Adams and Pinckney secured 65 electoral votes as against 73 for Jefferson and Burr.

the Federal side – I dont know the Genl., but what I hear he is a man of more *eclat* of Character, but I am inclined to believe We have few men in our Country possessing more of the qualities of Washington than Major P---- He is not a great Orator, but he is a man of excellent practical sense, and Classical Education – a perfect Gentleman in his manners, *Firm, mild, unaffected*, & Dignified in his Department; commanding at once respect, and Esteem from all who are in his Company. –

It is supposed however by some that the Genl, is the most Popular, & more likely to succeed in getting Votes as he is more Personally known in many of the States, and is a very pleasant Companionable Man –

As the latest European news is by the way of Charleston, I presume you will have seen the accounts before we had them here – the only matters of importance is the new Constitun.<sup>10</sup> of France; & the Correspondence between Consul Buonaparte & Lord Grenville<sup>12</sup> about Peace –

The Constitution seems to me to be a strange mixture of Despotism, and insult offered to the nation, *with Liberty equality & Republicanism*, hashed up in the French stile, to hide from the most Vulgar & Ignorant, the Contemptable & deplorable Situation the great Mass of the People are brought to by their own folly, and the *Infamous treachery* of most of their Pretended Patriots – What is to be the end of the Colossal Consul, & his Government is not easy to conjecture in a nation like France, where nothing is to be calculated on the ground of *Reason or experience* – some think He will soon share the fate of Caesar, whilst others expect He will become a second Cromwell, and make Crowned Heads tremble on their throne, and renovate the energies of his Nation – It seems from the reply of Lord Grenville, that notwithstanding the *New*

10 Thomas Pinckney of South Carolina, Federalist vice-presidential candidate in 1796 and a brother of C. C. Pinckney.

11 The French Directory was overthrown by Bonaparte in November, 1799, and the Consulate set up under a constitution that gave Bonaparte supreme power.

12 Lord William Grenville, England's Foreign Minister in the younger Pitt's cabinet, resigned office February 1801; Prime Minister 1806-1807.



*King*<sup>13</sup> had written in Very flattering terms to his Brother of England, the *old King*<sup>14</sup> seems to have Very little Confidence in his proposals, & recommends him to restore the *antient Princes*, tho he does not make that a *Sine qua non* to a Peace<sup>15</sup> —

We are in hourly expectations of hearing from the Envoys,<sup>16</sup> and think it somewhat Strange that Capt. Barry does not return — It is fully expected from the Complexion of affairs that all our differences will be amicably settled and If the French *let us alone*, they may have a Revolution every decade if they please —

I was not a little Vexed at seeing in Gales<sup>17</sup> paper a censure on Cap. Truxton<sup>18</sup> for having so Gallantly beat the French 54 — Such actions will tend more to insure Justice and Respect from France, and the World, than a thousand whining speeches in Congress about Peace, the Power of France, and the inability of this Country to Defend her national rights on the Ocean —

'Tis very late at night — please Remember me to Mr Alves.<sup>19</sup>  
I am

Dr Sir

Yr Huml Sert

W B GROVE

13 A contemptuous reference to Bonaparte and his assumption of Sovereign authority in France.

14 George III.

15 These negotiations ultimately led to a temporary peace between Bonaparte and England signed at Amiens in March, 1802.

16 This was Adams' famous second mission to France, composed of Oliver Ellsworth, Wm. Vans Murray, and William R. Davie.

17 Joseph Gates, editor of the *Raleigh Register*. This paper was established at Raleigh in 1789 as the organ of the Republican party in North Carolina.

18 Barry and Truxton were Commodores in the American Navy. Desultory sea-fighting with France proceeded in 1799 and 1800 while the negotiations of Adams' second commission were under way. In February, 1800, Commodore Truxton, in command of the American frigate *Constellation*, attacked the French fifty-four gun frigate, *La Vengeance*, off Basseterre and after a long drawn out and desperate engagement put her to flight.

19 Walter Alves, brother of Mrs. James Hogg and member from Orange county of the lower branch of the State Legislature in 1793, 1794, 1795; also Treasurer, Secretary, and Trustee of the University of North Carolina. He later removed to Kentucky and settled near Henderson in that State.

To James Hogg.

Raleigh 14th. March 1801

Dear Sir

Some Business led me to take Halifax in my way Home, that circumstance prevents me from adding to the length of my journey by calling at your place—Before this you will have seen Mr Jeffersons address to the public at his inauguration,<sup>1</sup> which many think very clever and as moderate as could be expected—

If we compare it with those writings attributed to Mr J. viz his letter to Mazzini &c. — one of two things occurs, either that he is a great Hypocrite, or that his *Notions* of our Constitution is greatly changed—In his letter he says “they have given us the forms of the British Governt, & now endeavoring to give us the Substance” — in his address *our Constitution is the best & Strongest, & the Worlds last hope &c*

However, these are only trifles to the inconsistencies & evidences of Mr Jeffersons arts & machivellian policy to get at the head of American affairs; I earnestly hope & pray we may have no worse proofs of those arts & that policy, *than his words & inconsistencies*—

It is very certain our new Admin. have very strong prejudices against Britain, & partiality for France, but they are aware that tho’ they expressed & inculcated those sentiments heretofore, that now they are *Responsible* for the Peace of the Country, having the direction of the Government, it will not do to indulge in those feelings to the extent of their wishes, as it might endanger their *Popularity* with the nation, who regard Peace & Commerce with our best Customers as a primary object—this is a circumstance of which Mr J. & his friends are fully aware of, & will tend to *check their hatred, & partiality* not a little—for tho’ these impressions are strongly rooted in many of them, yet the *wish & Love of Popu-*

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1 The Federalist party had been overturned in 1800 and Jefferson, regarded by his party opponents as a rabid radical in whose hands the fate of the country was unsafe, was inaugurated president March 4th 1801. Grove was correspondingly disgruntled. However, Grove was able to again effect his own re-election to Congress this year, but this proved to be his last term.

larity in the new Adminn. will in my opinion bear down all other considerations --

As I presume you have seen Mr Henderson,<sup>2</sup> I suppose, you have rec'd from him all the news of the day that I am possessed of, therefore I shall add nothing more at present --

The Certift. about your Funded debt, I will forward you at some other time after I get home -- I could not get any Bank notes at Washington,<sup>3</sup> but *Columbia Bank notes*, and I was informed they did not pass freely in this State, or to the Westward, owing to the small intercourse between the trading part of the Community & the new City -- I recd. three quarters Dividends of your Funded debt amounting to \$131 -- as well as I now remember, but when we meet, I will furnish you with an exact acct. in the mean time I enclose you \$109 -- including one bank note of \$10 -- If I am not at your next Supr. Court, I hope to see you at Fayette --

In the mean time I am

with real regard

Dr Sir

Yr. Humbl Sert

W. B. GROVE

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To James Hogg.

Washington 9th. March 1802

Dear Sir

Had anything very interesting occurred here, I would have done myself the pleasure of troubling you with a letter before now -- You will have seen in the News papers, the course & progress of Public measure under the new Adminisn. -- time, and wise men, will unfold how far some of those measures are consistent with the Constitution & real interests of the Nation -- To undo, much of what had been done under former Adminisns. seems to be the order of the day<sup>1</sup> --

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<sup>2</sup> Archibald Henderson, of Salisbury, Representative of his district in Congress. A Federalist, like Grove, Henderson also lost his seat in 1803.

<sup>3</sup> The government took up its permanent residence at Washington, the new Capital, June 15, 1800.

<sup>1</sup> The new Republican Administration, supported by Congress, set itself

On the arrival of the French troops at St Domingo the *Blacks*<sup>2</sup> resisted their landing, & burnt & massacred all before them — the scene must have been dreadful —

It is feared here, that part of the French forces are intended for New Orleans, as tis believed the Spaniards have ceded that country to Buonaparte<sup>3</sup> — this apprehension gives us some uneasiness, for all Parties seem to prefer, the indolent *Aristocratic Dons* for Neighbors, to the *Ambitious* and turbulent *Monsieurs*, notwithstanding their high pretensions to Liberty & Republicanism.

I have recd. from Mr Hooper<sup>4</sup> your Power of atty to *transfer* your Funded Stock to him, & the Dividends due from Jany 1800 — but tho' the power is sufficient to *transfer the Stock* tis not sufficient to *receive* the Dividends standing in your name — As Mr H. wishes the Stock sold, and the Dividends *received*, I take the liberty to request you to forward me by first Post, a power to draw & receive the same, in the same form, as those you heretofore sent me, to the end I may comply with Mr Hoopers request — I have dropped Mr H. a line informing him of the *defect* in the old power in regard to *receiving* the Dividends standing in your name —

I hope to get away from this place about the middle of April, tho' I suspect Congress will not rise before the 1st. May —

Mrs Grove is pretty well, & desires me to send her respects to you, & Complements. to you and your Household —

With real regard

I am

Dear Sir

yr Humb Ser.

W. B. GROVE

the task of repealing much of the objectionable Federalist legislation effected in its last years and months of power; among these were the Alien and Sedition Acts, the "Mid-night" Judiciary Act, etc.

2 The Island of Hayti was at this date in rebellion against French authority, the blacks being led by the famous Toussaint L'Ouverture.

8 This supposition was correct, the transfer having been made in the treaty of San Ildefonso in the year 1800. All America was stirred by the transfer, fear not being allayed until the territory was purchased from France in 1803.

4 Very probably Thomas Hooper, lawyer, of Hillsboro, son of Wm. Hooper, signer of the Declaration of Independence.









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